



**Post Office Box 9010 Addison, Texas  
75001-9010  
5300 Belt Line Road  
(972) 450-7000 Fax: (972) 450-7043**

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## **AGENDA**

### **REGULAR MEETING OF THE CITY COUNCIL**

**AND / OR**

### **WORK SESSION OF THE CITY COUNCIL**

**6:00 PM**

**April 28, 2015**

### **ADDISON TOWN HALL**

**5300 BELT LINE RD., DALLAS, TX 75254**

**6:00PM WORK SESSION**

**7:30PM REGULAR MEETING**

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### **WORK SESSION**

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<b>WS1</b>	Update and discussion regarding audience seats in the Main Space of the Addison Conference and Theatre Centre.
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<b>WS2</b>	Update and discussion on the Addison Conference and Theatre Centre.
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### **REGULAR MEETING**

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## Pledge of Allegiance

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| R1 | Announcements and Acknowledgements regarding Town and Council Events and Activities |
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Discussion of Events/Meetings

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Consent Agenda.

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| R2a | Approval of the Minutes for the April 14, 2015 City Council Meeting and Work Session. |
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| R2b | Approval of Ordinance No. O14-029 changing the zoning on property located at 3714 Belt Line Road (Ramen Hakata), which property is currently zoned PD, Planned Development, through Ordinance O97-029, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only. |
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| R2c | Approval of Ordinance No. O14-030 changing the zoning on property located at 4440 Belt Line Road (Chuy's Mexican Food), which property is currently zoned LR, Local Retail, by amending an existing Special Use Permit for a restaurant and by amending an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only. |
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| R2d | Approval of Ordinance No. O14-032 changing the zoning on property located at 5076 Addison Circle (Union Park) which property is currently zoned UC, Urban Center, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only. |
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| R2e | Approval of Ordinance No. O14-052 changing the zoning on property located at 4866 Belt Line Road (ZuZu's Handmade Mexican Food), which property is currently zoned LR, Local Retail, by amending an existing Special Use Permit for a restaurant and by amending an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only. |
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R2f Approval of Ordinance No. O14-057 changing the zoning on properties located at 5001 Belt Line Road (Ida Claire), which property is currently zoned PD (Planned Development) through Ordinance O91-043 and 5035 Quorum Drive, which property is currently zoned LR (Local Retail) through Ordinance 392, by approving for the properties a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

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R2g Approval of Ordinance No. O14-058 changing the zoning on property located at 4180 Belt Line Road (Snuffers), which property is currently zoned PD, Planned Development, through Ordinance O91-066, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

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R2h Approval of Ordinance No. O14-059, changing the zoning on property located at 4180 Belt Line Road (La Ventana), which property is currently zoned PD, Planned Development, through Ordinance O91-066, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

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R2i Approval of Ordinance No. O15-001, changing the zoning on property located at 3761 Belt Line Road (Fast Furious Japanese Grill), which property is currently zoned PD, Planned Development, through Ordinance O98-049, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

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R2j Approval of Ordinance No. O15-002 amending the Code of Ordinances of the Town by amending Appendix A - Zoning, thereof, the same being the Comprehensive Zoning Ordinance by amending Article XIV (I-3 Industrial District Regulations), Section 1, by adding airport to the list of permitted uses in the I-3 Industrial District and amending Article XXX (Definitions) by adding thereto a definition of airport.

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R2k Approval of resolution approving an agreement with Garver LLC for Airport on-call engineering services for an amount not to exceed \$100,000.

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R2l Approval of the rejection of all bids for the Winnwood Pond Dredging Project.

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### Regular Items

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R3 Presentation and proclamation recognizing Foot Health Month.

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R4 Presentation and proclamation recognizing Motorcycle Safety & Awareness Month.

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R5 **Public Hearing.** Public hearing regarding the Town of Addison's recognition and naming policy for town parks, trails, or facilities.

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R6 Present, discuss, consider and take action regarding the search for city manager.

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R7 Discuss, consider and take action regarding a public comment section on the City Council agenda.

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R8 Presentation and discussion of the 2014 Police Department Annual Report.

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R9 Discuss, consider and take action regarding appointment of a Member to the Planning and Zoning Commission.

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### Executive Session

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ES1 Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with



Chapter 551, Tex. Gov. Code, pertaining to wind turbines on the water tower located at the intersection of Arapaho Road and Surveyor Boulevard.

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ES2 Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to seek the advice of its attorney(s) regarding pending litigation: Town of Addison, Texas v. ProAir Developments, L.P., Cause No. DC-13-15164, 14th Judicial District, Dallas County, Texas and anticipated litigation, Hunse v. Town of Addison, et. al.

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ES3 Closed (Executive) session of the Addison City Council pursuant to Section 551.074, Texas Government Code, to deliberate the appointment, employment, and duties of the Interim City Manager.

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Reconvene from Executive Session

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R10 **RECONVENE INTO REGULAR SESSION:** In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to take any action necessary.

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Adjourn Meeting

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NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

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Posted:

Chelsea Gonzalez, April 24, 2015, 5:00pm

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH DISABILITIES.  
PLEASE CALL (972) 450-7090 AT LEAST  
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

**AI-1096**

**WS2**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Conference & Theatre

**Council Goals:** Mindful stewardship of Town Resources.  
Define, measure, evaluate, and improve success for all Town businesses

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**AGENDA CAPTION:**

Update and discussion on the Addison Conference and Theatre Centre.

**BACKGROUND:**

The purpose of this item is to update the City Council on the operational changes made at the Addison Conference and Theatre Centre (ACTC) since October 1, 2014. There has been a thorough review of the policies, processes and operations of both the front-of-house (FOH) and back-of-house (BOH). Subsequently, general business and industry standard best practices have been implemented.

The ACTC brings a wide variety of corporate and social meetings and events to Addison and also provides a functional home for Addison's special events and civic gatherings. With an average of 50,000 attendees annually (not including special event guests), the Conference Centre is often the front door for many Addison business and leisure travel guests. The operations of the ACTC has evolved to closely mirror the operations of private sector event venues while maintaining the community-oriented civic functionality. Additionally, several industry standard and creative new measures are being identified to more accurately measure performance and also assist with strategic planning for greater cost recovery.

**RECOMMENDATION:**

N/A

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**Attachments**

ACTC WS PP - 04-28-15

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# ***Addison Conference & Theatre Centre Update***

***April 28, 2015  
City Council Work Session***

## What is Our Mission

To promote the convention and tourism industry in Addison by offering exceptional service in a unique and architecturally-inspired meeting and event venue.



# Overview of Addison Conference & Theater Centre

The Addison Conference & Theatre Centre (ACTC) brings a wide variety of corporate and social meetings and events to Addison and also provides a functional home for Addison's special events and civic functions.

- Evolution over the years
  - Operations
  - Pricing
  - Catering
- Services provided
- Function Types
- Booking pace
- Busy season

Social	Corporate	Civic
Weddings	Expos	Special Events
Anniversaries	Seminars	Holiday Open House
Bar/bat mitzvahs	Off-site day meetings	Town meetings
Reunions	Fundraisers	
Receptions	Conferences	

## Community Impact

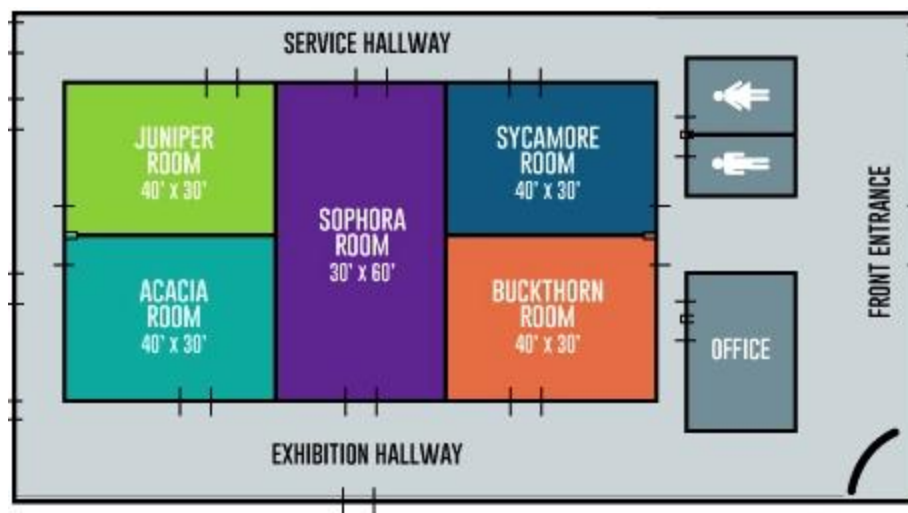
The ACTC brings in an average of 50,000\* visitors for business and leisure events to the community annually through room rentals sold, coordinated and serviced from contract to the day of the event.

- New measures being reviewed for more comprehensive community impact.

*\*Number does not include visitors for Special Events.*

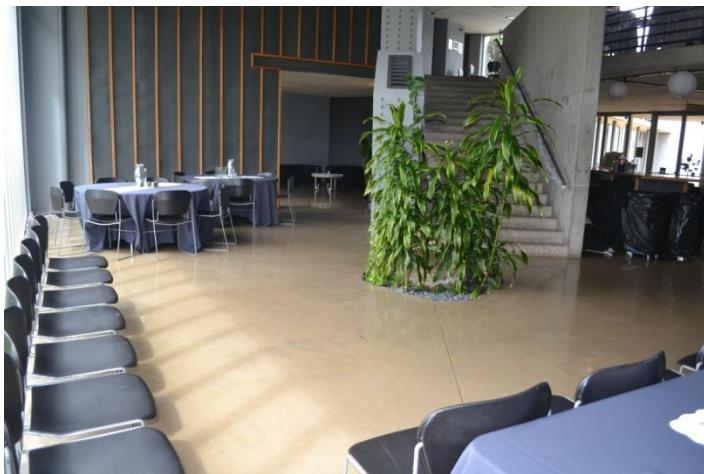


## Venues Rented and Managed - ACC

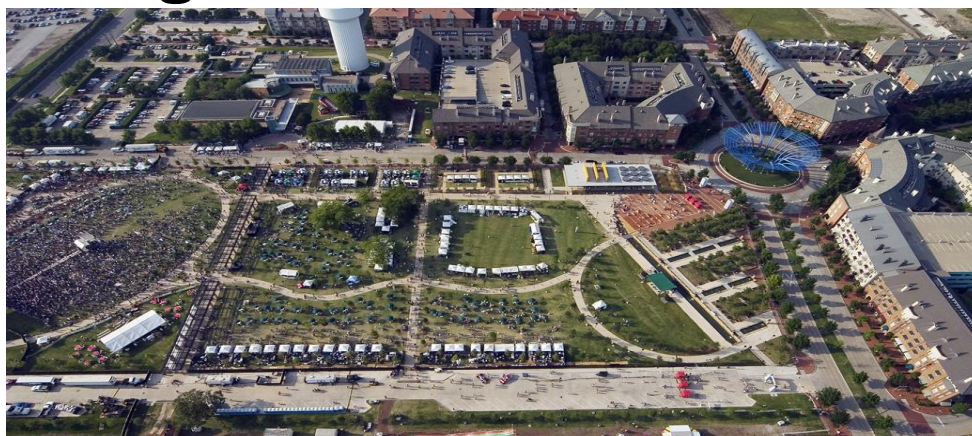




## Venues Rented and Managed - Theatre



## Venues Rented and Managed – Addison Circle Park

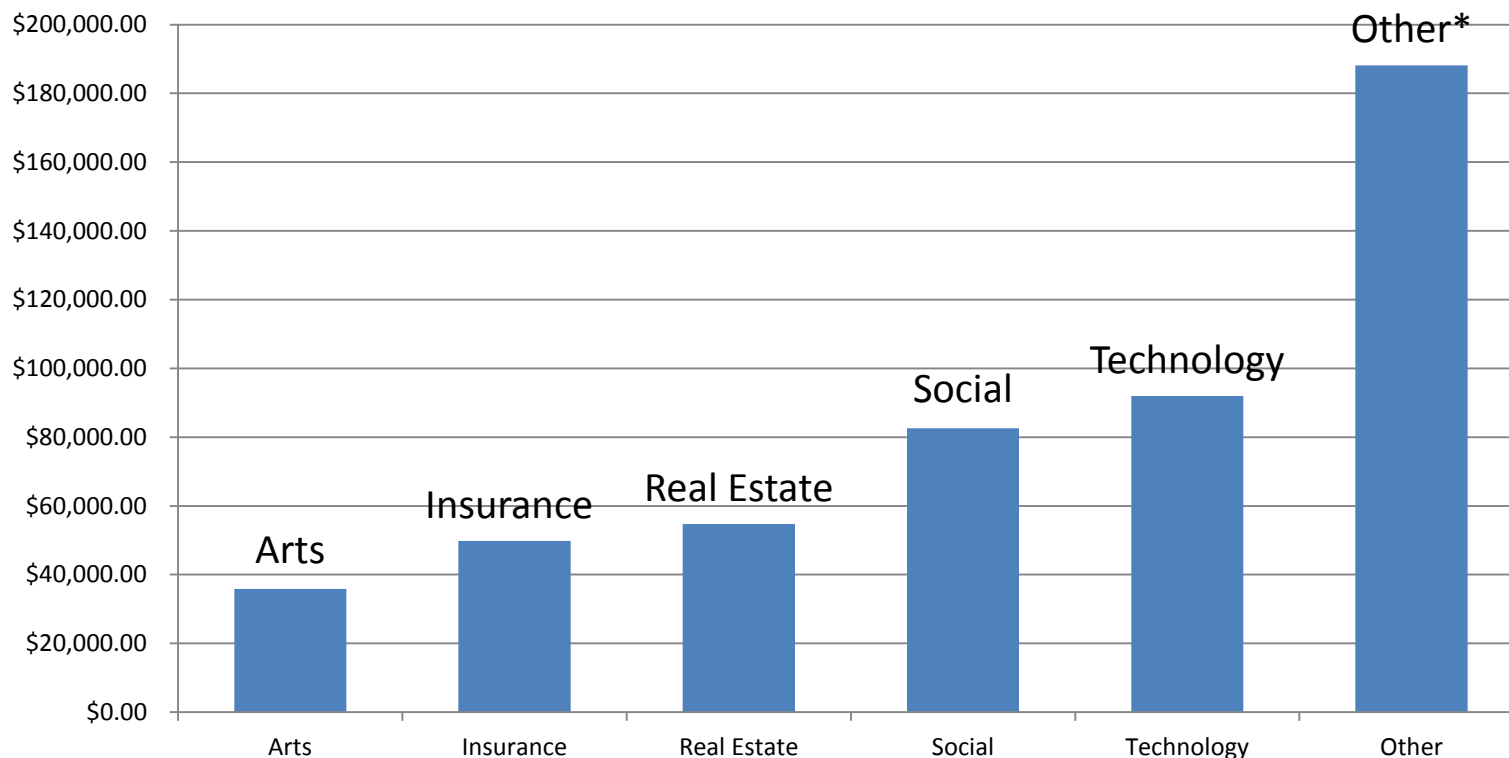




## Venues Rented and Managed – Visit Addison



## Market Segment by Revenue



Other includes : Chambers, Communications, Construction, Educational , Energy, Financial, Food & Beverage, Hospitality, Insurance, Legal, Medical, Non-Profit Social, Political Action, Real Estate, Religious, Retail, Social, Sports, Technology, Town of Addison, Transportation.

## FY15 Operational Changes

Entire Operation

- The **Why** and **How** cross-training
- Standard operating procedures documentation
- New training schedules and materials

## **FY15 Operational Changes**

### **FOH Operations**

- New Team
- Event Coordinator and Sales Coordinator
- New booking system
- Financial controls with segregation of duties
- Tighter receivables and policy enforcement
- Fully manage financial accounting for ACTC and Visit Addison
- Systematic monthly revenue and expenditures review

# **FY15 Operational Changes**

## **BOH Operations**

- Flexed schedules
- Inventory software and management

# **FY15 Operational Changes**

## Marketing Strategy

- Increased participation with associations
- Professional marketing materials
- Destination Management Organizations (DMO's)
- Hotelier engagement
- Social media strategy



## **FY15 Operational Changes**

### Reviewing Strategic Performance Measures

- Cost recovery
- Comped space/venue discounts
- Percentage of local (Addison) clients vs. non-local
- Repeat vs. new clients
- Increase in total number of attendees
- Others being reviewed

## **FY15 Year-to-Date Revenue**

Revenue: \$603,750

On target:

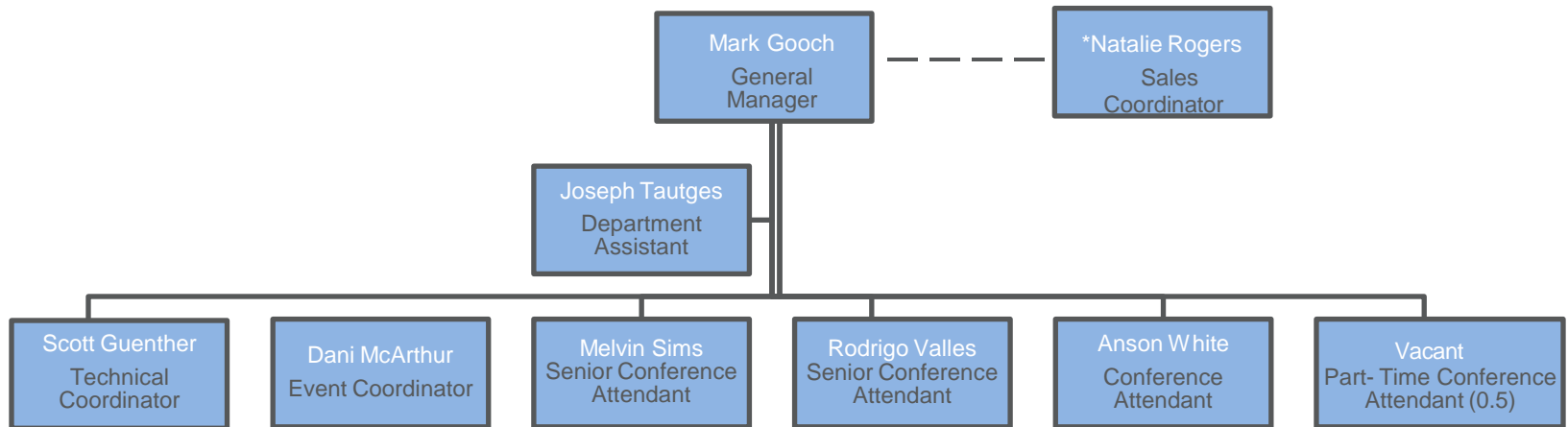


Expenditures: \$1,178,942

On target:



## Meet the ACTC Team



Thank you  
&  
Questions

**AI-1095**

**WS1**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Conference & Theatre

**Council Goals:** Create raving fans of the Addison Experience.  
Mindful stewardship of Town Resources.

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**AGENDA CAPTION:**

Update and discussion regarding audience seats in the Main Space of the Addison Conference and Theatre Centre.

**BACKGROUND:**

The purpose of this item is to update the City Council on the viability and sustainability of the current audience seating in the Main Space of the Addison Conference & Theatre Centre. The Theatre Centre is an important Addison facility hosting the performing arts for over 20 years. The Main Space is primarily used for performances produced and presented by the resident company, WaterTower Theatre. In addition to WaterTower's performances, the Main Space also acts as an event venue for a variety of performances by other theatre companies as well as for corporate or social events. In Fiscal Year 2014, the Main Space attracted 25,000 attendees with 144 performances.

Due to the variety of performances and events, the seating element of the Main Space requires flexibility to meet the demands of the various performances and events. The last time the seating element was replaced with the current seats was thirteen years ago in 2002. The current seats are beyond their average theatre shelf life (ten years) and the time to replace them is approaching. Staff is spending more time and expenses on maintenance and repair. In addition, negative feedback from theatre patrons regarding the seats has increased in recent years. Staff spoke with several vendors and has acquired an estimate to replace the new seats that meet the required specifications.

This update is to inform the City Council of the replacement seats estimated costs and discuss possible funding donations and mechanisms.

**RECOMMENDATION:**

N/A

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**Attachments**

Seats WS PP - 04-28-15

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# ***Addison Conference & Theatre Centre Seats Update***

*April 28, 2015  
City Council Work Session*

## **History and Background**

- Current seats history
- Current seats issues
- Negative impact
- Research and donation
- New seat requirements

## **Quotes and Sole Source Purchase**

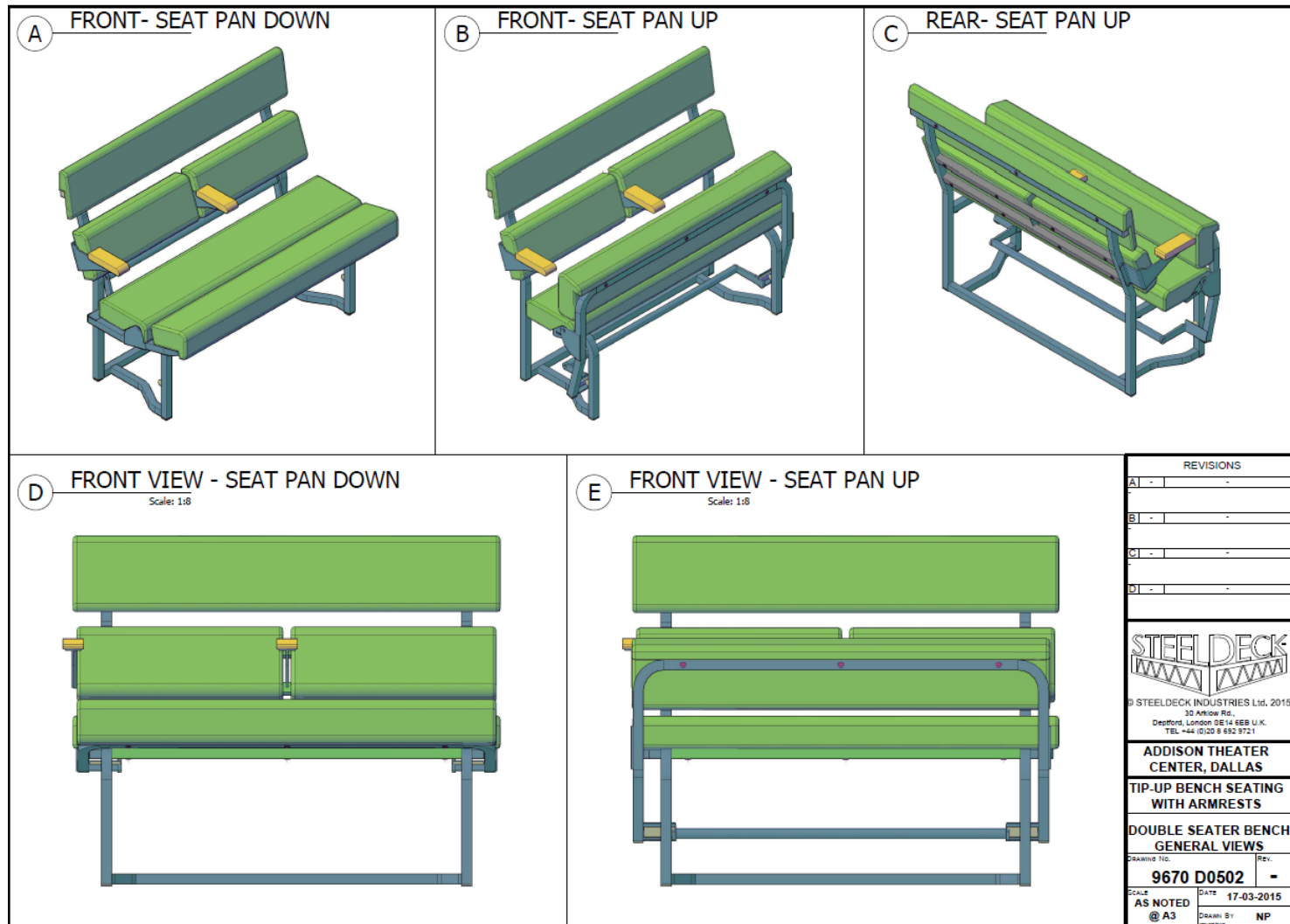
- Contacted 7 vendors
- Sole Source Purchase
- Steel Deck met the requirements
  - 115 double seats, 6 singles
  - Folding, arm rests, gang-style, element clamping
  - Preliminary Estimate: \$122,000
    - Delivery of seats
    - Engineer for three days, assist with installation
    - Complete set of drawings and a sample



## Current Seats



## New Seats Drawings



## New Seat Samples



## **Recommendation**

- Town obligations
- Cost-effectiveness and efficiencies
- Addison Front Door: maintain a high standard that represents the Town

## Breakdown of Funding

Source	Amount	Details
Donation	\$74,000	\$50,000 already donated. Additional \$24,000 pledged.
TOA	\$24,400	MLS Request in TOA's FY15-16 Budget.
WTT	\$24,400	Out of WTT's FY15-16 Budget.
<b>Estimated Total</b>	<b>\$122,000</b>	

Thank you  
&  
Questions

**AI-1081**

**R2a**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** City Manager

**Council Goals:** N/A

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**AGENDA CAPTION:**

Approval of the Minutes for the April 14, 2015 City Council Meeting and Work Session.

**BACKGROUND:**

N/A

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Minutes

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# **DRAFT**

## **OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION**

April 14, 2015

6:00 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session I 7:30 PM Regular Meeting

Present: Arfsten; Carpenter; Clemens; DeFrancisco; Heape; Mayor Meier; Moore

## **OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING**

April 14, 2015

6:00 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session I 7:30 PM Regular Agenda

Posted by: Chelsea Gonzalez, April 10, 2015, 5:00pm

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### **WORK SESSION**

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WS1 Discussion regarding Addison's recognition and naming policy for town parks, trails, or facilities.

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### **REGULAR MEETING**

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#### **Pledge of Allegiance**

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Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

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## Consent Agenda.

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- R2a Approval of the Minutes for the March 24, 2015 City Council Meeting and Work Session and March 28, 2015 City Council Meeting and Work Session.

**RECOMMENDATION:**

Administration recommends approval.

Motion made by Clemens to approve, as submitted,  
Seconded by Moore

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,  
Mayor Meier, Moore

Passed

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- R2b Approval of a modified Scope of Services Agreement with the World Affairs Council that changes the term of the agreement from October 1, 2014 through September 30, 2015 to January 1, 2015 through September 30, 2015.

**RECOMMENDATION:**

Administration recommends approval.

Motion made by Clemens to approve, as submitted,  
Seconded by Moore

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,  
Mayor Meier, Moore

Passed

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- R2c Approval of Ordinance No. O14-056 changing the zoning on property located at 14300 Dallas Parkway (Tollway Center) from a Planned Development District created by Ordinance No. O85-001 to a new Planned Development District for approximately 200,000 square feet of office uses and an approved site plan.

**RECOMMENDATION:**

Administration recommends approval.

Motion made by Clemens to approve, as submitted,  
Seconded by Moore

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,  
Mayor Meier, Moore

Passed

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R2d Approval of Ordinance No. O14-051 changing the zoning on property located at 5100 Belt Line Road, Suite 500, (Lazy Dog) which property is currently zoned PD, Planned Development, through Ordinance O12-001, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

**RECOMMENDATION:**

Administration recommends approval.

Motion made by Clemens to approve, as submitted,  
Seconded by Moore

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,  
Mayor Meier, Moore

Passed

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R2e Approval of Ordinance No. O14-028 changing the zoning on property located at 15103 Surveyor Boulevard (Bitter Sisters Brewing Company), which property is currently zoned I-1, Industrial-1, by authorizing for that property a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages, limited to beer only, for on-premises consumption only, subject to no conditions.

**RECOMMENDATION:**

Administration recommends approval.

Motion made by Clemens to approve, as submitted,  
Seconded by Moore

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,  
Mayor Meier, Moore

Passed

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- R2f Approval of Ordinance No. O14-026 changing the zoning on property located at 4900 Edwin Lewis (Hyatt House) by amending Planned Development District O94-076 in order to add restaurants, the sale of beer and wine for off-premises consumption, and the sale of alcoholic beverages for on-premises consumption only as uses that may be authorized upon the issuance of a special use permit.

**RECOMMENDATION:**

Administration recommends approval.

Motion made by Clemens to approve, as submitted,

Seconded by Moore

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,  
Mayor Meier, Moore

Passed

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- R2g Approval of Ordinance No. O14-060 changing the zoning on property located at 4900 Edwin Lewis (Hyatt House) by amending Planned Development District O94-076 by approving a special use permit for a restaurant, a special use permit for the sale of beer and wine for off-premises consumption, and a special use permit for the sale of alcoholic beverages for on-premises consumption only.

**RECOMMENDATION:**

Administration recommends approval.

Motion made by Clemens to approve, as submitted,

Seconded by Moore

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,  
Mayor Meier, Moore

Passed

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Regular Items

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- R3 Presentation and proclamation recognizing the National Volunteer Week.

On behalf of Addison Advocates, Stacy Love, Town of Addison's Volunteer Coordinator, accepted the proclamation.

There was no action taken on this item.

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- R4 Presentation and discussion regarding an update on the search for city manager.

Strategic Government Resources (SGR) and Whitney Smith Company presented on the Addison City Manager search process.

There was no action taken on this item.

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- R5 Discussion, consider and take action regarding a resolution approving an agreement with Strategic Government Resources (SGR) to conduct a search for the interim city manager.

**RECOMMENDATION:**

Administration recommends approval.

Ron Holifield, Chief Executive Officer with Strategic Government Resources (SGR), and Brenda McDonald, City Attorney spoke regarding this item.

Motion made by Carpenter to accept the contract as presented by SGR and the process that goes with it,

Seconded by Heape

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape, Mayor Meier, Moore

Passed

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- R6 **Public Hearing** Case 1711-SUP/The Hub Sports Grill. Public hearing, discuss, consider and take action regarding ordinance approving a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, a Special Use Permit for a billiard parlor, and a Special Use Permit for an arcade, on the property located at 4145 Belt Line Road Suite 200, on application from the Hub Sports Grill, represented by Mr. Kyle Hidell.

**RECOMMENDATION:**

Administration recommends approval.

Charles Goff, Assistant Director of Development Services, spoke regarding this item.

Kyle Hidell representing Hub Sports Grill also spoke regarding this item.

A public hearing was opened and an opportunity to speak offered to the public.

There were no individuals who spoke at the public hearing.

The public hearing was closed.

Motion made by DeFrancisco to approve as submitted, subject to the conditions listed,

Seconded by Carpenter

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape, Mayor Meier, Moore

Passed

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- R7 Present, discuss, consider and take action regarding an ordinance providing for a Meritorious Exception to the detached sign requirements in Chapter 62 Section 62-182 by allowing for an off-premises monument sign on application from MS Sub Belt Line, LLC represented by Mr. George Watson.

**RECOMMENDATION:**

Administration recommends denial.

Charles Goff, Assistant Director of Development Services, and Brenda McDonald, City Attorney, spoke regarding this item.

George Watson representing MS Sub Belt Line, LLC also spoke regarding this item.

Motion made by Clemens to approve R7 for a period not to exceed four months, conditioned upon the removal of the pole sign,

Seconded by DeFrancisco

**Voting** AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape, Mayor Meier, Moore

Passed

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- R8 Discuss, consider and take action regarding appointment of a Member to the Planning and Zoning Commission.

Item R8 was pulled from the agenda.

There was no action taken on this item.

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#### Executive Session

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- ES1 Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to seek the advice of its attorney(s) regarding pending litigation: Town of Addison, Texas v. ProAir Developments, L.P., Cause No. DC-13-15164, 14th Judicial District, Dallas County, Texas and anticipated litigation, Hunse v. Town of Addison, et. al.

The City Council entered executive session at 9:23 pm.

The City Council closed executive session at 12:23 am.

- ES2 Closed (Executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) a shopping center lease in which the Town is the tenant at Village on the Parkway; 2) a sublease in which the Town is the sub-landlord to the Craft Guild of Dallas at Village on the Parkway; and pursuant to Section 551.071, Tex. Gov. Code, to deliberate the said lease of real property.

The City Council entered executive session at 9:23 pm.

The City Council closed executive session at 12:23 am.

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#### Reconvene from Executive Session

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- R9 **RECONVENE INTO REGULAR SESSION:** In accordance with Texas Government Code, Section 551.001, *et seq.*, the City Council will reconvene into Regular Session to take any action necessary regarding the following:

a) In accordance with Texas Government Code, Section 551.071,

consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: (1) pending litigation: Town of Addison, Texas v. ProAir Developments, L.P., Cause No. DC-13-15164, 14th Judicial District, Dallas County, Texas; and anticipated litigation Hunse v. Town of Addison, et. al.

b) In accordance with Texas Government Code, Section 551.071, consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: 1) a shopping center lease in which the Town is the tenant at Village on the Parkway; 2) a sublease in which the Town is the sub-landlord to the Craft Guild of Dallas at Village on the Parkway; and pursuant to Section 551.071, Tex. Gov. Code, to deliberate the said lease of real property.

There was no action taken on these items.

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## Adjourn Meeting

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NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

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Mayor-Todd Meier

Attest:

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City Secretary-Chelsea Gonzalez



**AI-1083**

**R2b**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Create and implement a Comprehensive Land Use/Revitalization Plan

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**AGENDA CAPTION:**

Approval of Ordinance No. O14-029 changing the zoning on property located at 3714 Belt Line Road (Ramen Hakata), which property is currently zoned PD, Planned Development, through Ordinance O97-029, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

**BACKGROUND:**

This item is to formally adopt the zoning ordinance for Case 1698-SUP/Ramen Hakata. This case was originally heard by the City Council on July 8, 2014 where it was approved unanimously.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance.

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Ordinance O14-029

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**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 014-029**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS AS HERETOFORE AMENDED TO GRANT A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF SOO HYUN PARK, FOR PROPERTY LOCATED AT 3714 BELT LINE ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the property located at 3714 Belt Line Road is part of the Addison Town Center development and is zoned as Planned Development District 097-031; and

**WHEREAS**, the property was previously granted a Special Use Permit for a restaurant through Ordinance Number 098-027; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**Section 1.** That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**Section 2.** That a Special Use Permit authorizing the sale of alcoholic beverages for on-premises consumption only, on the property located at 3714 Belt Line Road, is hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plan, and the elevation drawings, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.
- (b) The Special Use Permit granted herein for the sale of alcoholic beverages for on-premises consumption only shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 1,600 square feet.

- (c) No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas.
- (d) The sale of alcoholic beverages under this Special Use Permit shall be permitted in restaurants. Restaurants are hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- (e) Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of subparagraph (d) above are being met.
- (f) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (g) If the property for which these Special Use Permits are granted is not used for the purposes for which said permits were granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning and repeal of the Special Use Permits granted herein.
- (h) If a license or permit to sell alcoholic beverages on property covered by this Special Use Permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning repeal of the Special Use Permits granted herein.
- (i) The establishment shall not use the term “bar”, “tavern”, or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.

**Section 3.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

**Section 4.** That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

**Section 5.** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 6.** That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

**PASSED AND APPROVED** BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 8th day of July, 2014.

\_\_\_\_\_  
Todd Meier, Mayor

ATTEST:

\_\_\_\_\_  
Chelsea Gonzalez, City Secretary

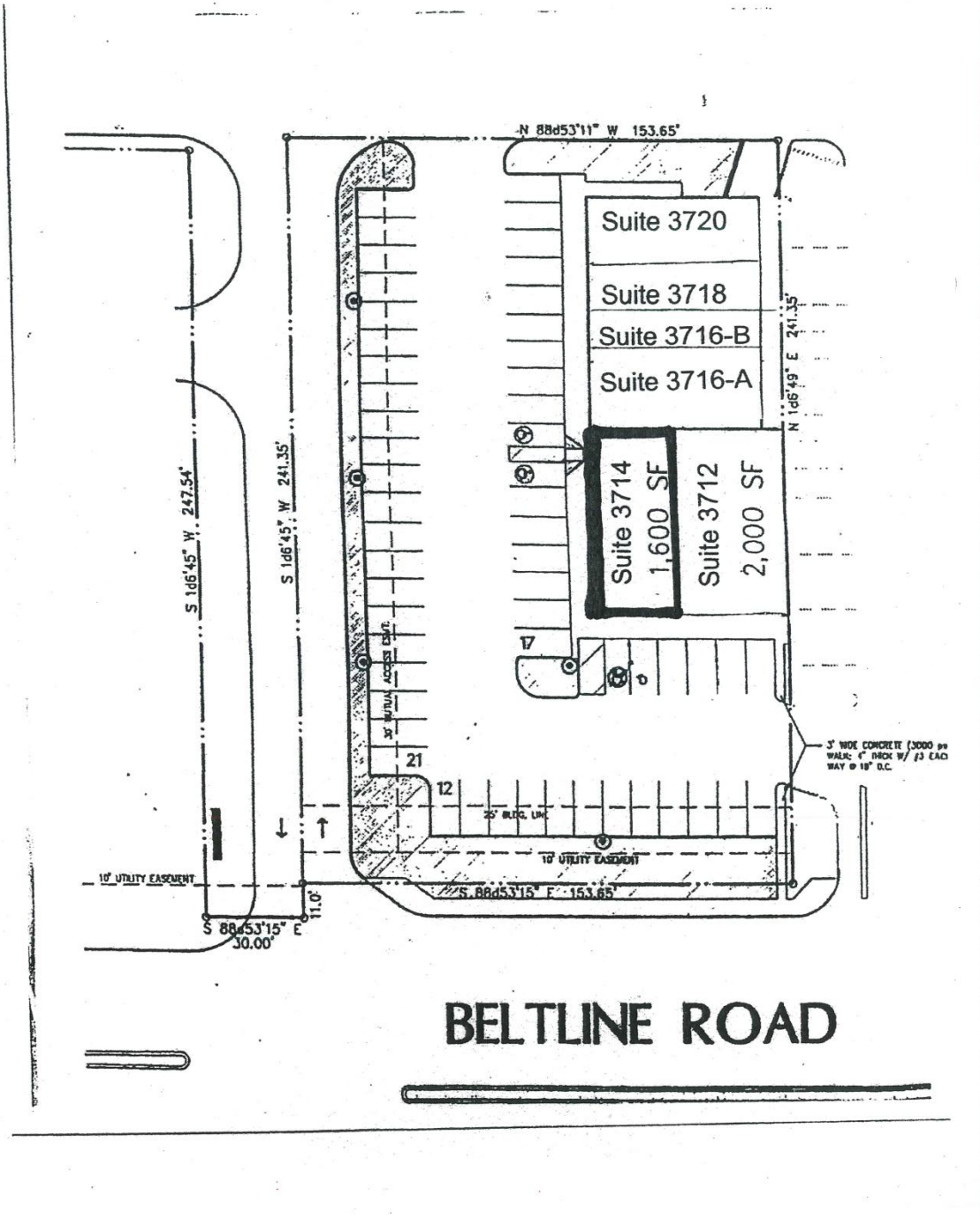
CASE NO: 1698-SUP/Ramen Hakata

APPROVED AS TO FORM:

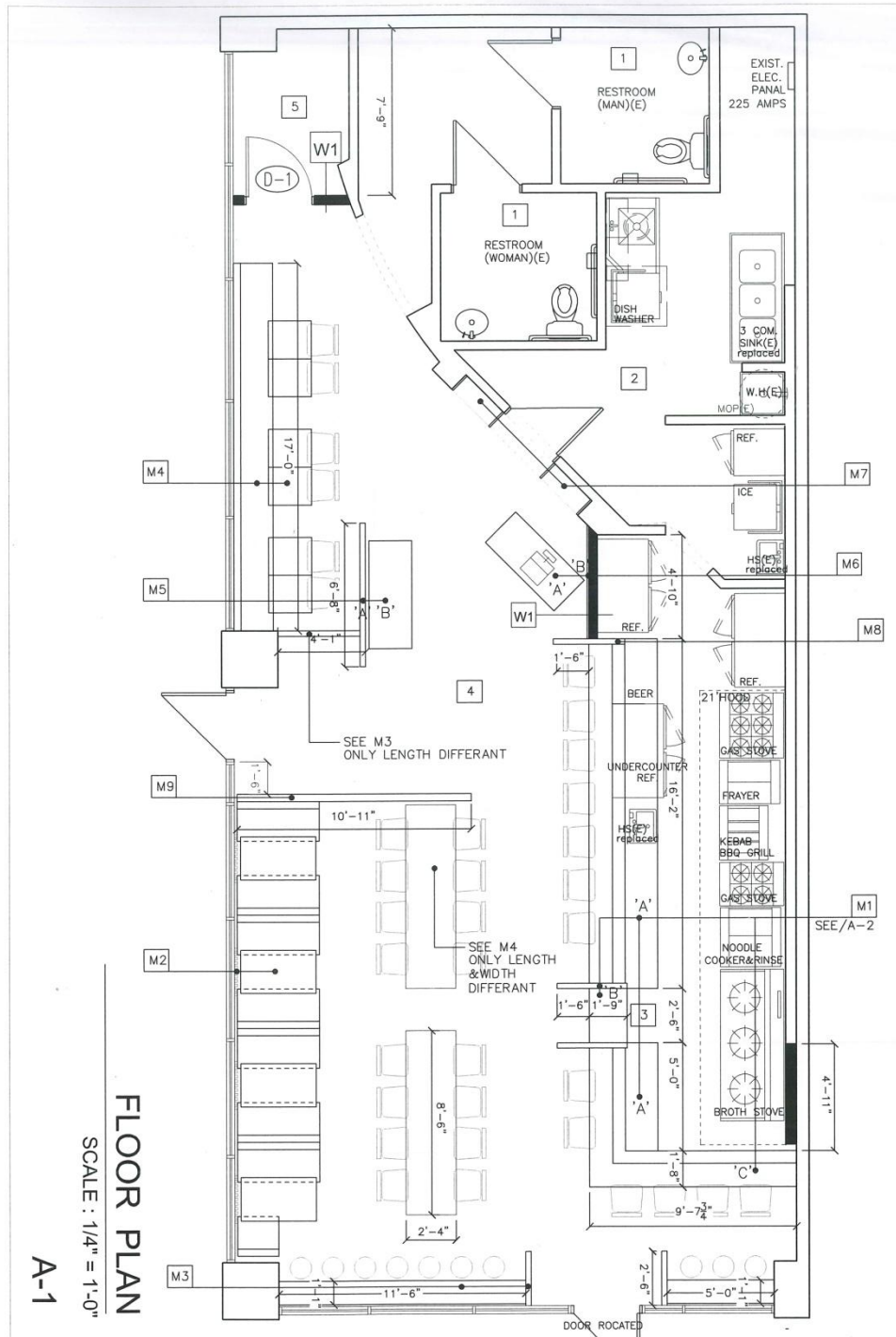
\_\_\_\_\_  
Brenda N. McDonald, City Attorney

PUBLISHED ON: \_\_\_\_\_

**EXHIBIT A**



**EXHIBIT A**



**EXHIBIT A**





**EXHIBIT A**



**AI-1084**

**R2c**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Create and implement a Comprehensive Land Use/Revitalization Plan

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**AGENDA CAPTION:**

Approval of Ordinance No. O14-030 changing the zoning on property located at 4440 Belt Line Road (Chuy's Mexican Food), which property is currently zoned LR, Local Retail, by amending an existing Special Use Permit for a restaurant and by amending an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

**BACKGROUND:**

This item is to formally adopt the zoning ordinance for Case 1699-SUP/Chuy's Mexican Food. This case was originally heard by the City Council on July 8, 2014 where it was approved unanimously.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance.

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Ordinance O14-030

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**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 014-030**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS AS HERETOFORE AMENDED TO AMEND SPECIAL USE PERMIT ORDINANCE NUMBER 013-025 SO AS TO PROVIDE FOR AN AMENDMENT TO EXISTING SPECIAL USE PERMITS FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF CHUY'S MEXICAN FOOD, FOR PROPERTY LOCATED AT 4440 BELT LINE ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the property located at 4400 Belt Line Road is an existing restaurant and is zoned as Local Retail with an existing Special Use Permit for a restaurant and an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**Section 1.** That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**Section 2.** That Ordinance No. 013-025 is hereby amended to add the revised site plan, and floor plan for the patio including the addition of an outdoor bar area, which are attached hereto as **Exhibit A** and made a part here of for all purposes;

**Section 3.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

**Section 4.** That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not

have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

**Section 5.** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 6.** That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 8th day of June, 2014.**

\_\_\_\_\_  
Todd Meier, Mayor

ATTEST:

\_\_\_\_\_  
Chelsea Gonzalez, City Secretary

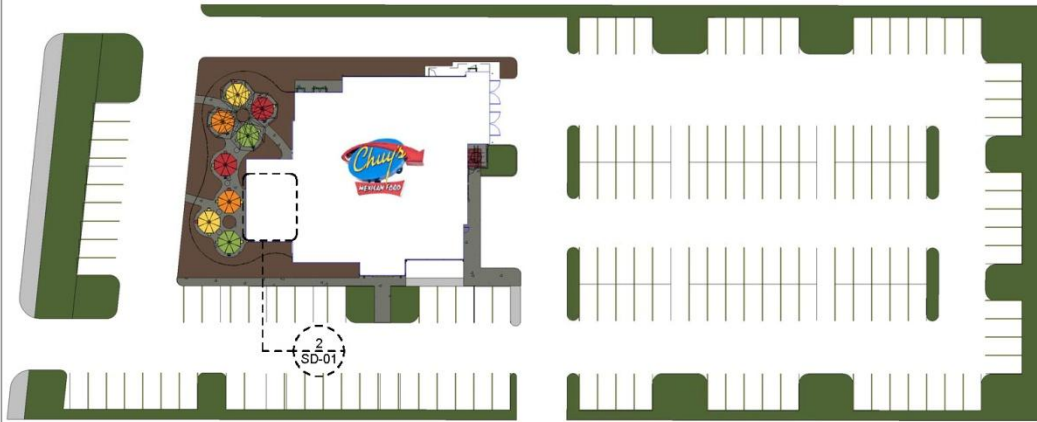
CASE NO: 1699-SUP/Chuy's Mexican Food

APPROVED AS TO FORM:

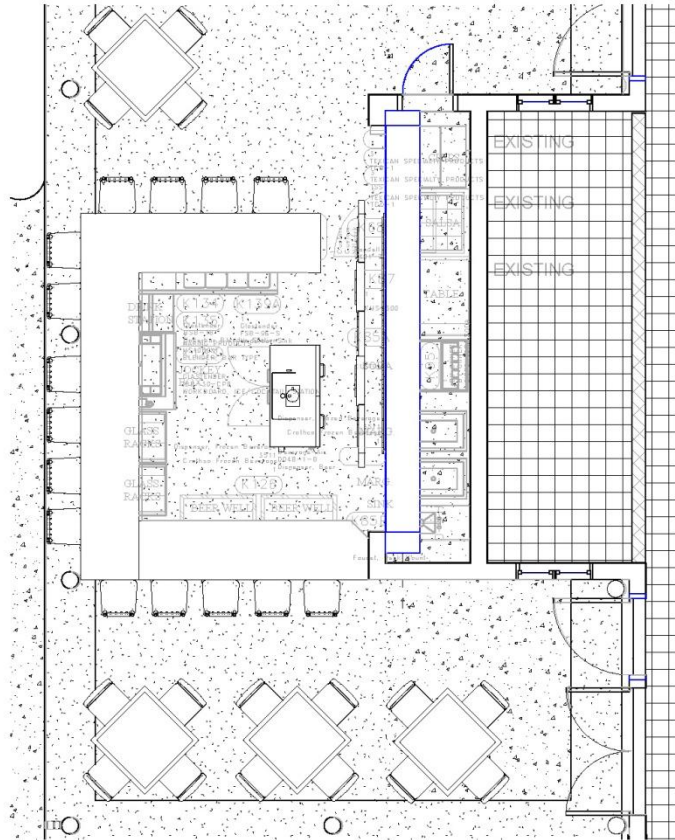
\_\_\_\_\_  
Brenda N. McDonald, City Attorney

PUBLISHED ON: \_\_\_\_\_

**EXHIBIT A**



**1 Overall Site Plan**  
1" = 50'-0"



**2 Enlarged Outdoor Bar Floor Plan**  
1/4" = 1'-0"

**PARKWAY**  
CONSTRUCTION  
& ASSOCIATES  
GENERAL CONTRACTOR  
ARCHITECTURE  
1000 CMC CIRCLE  
LEWISVILLE, TEXAS 75067  
PARKWAY.CONSTRUCTION.COM  
972-221-1979

*Chuy's*  
MEXICAN FOOD  
Addison, TX

**Site Plan**

Project number	04-13364	SD-01
Date	04/02/14	
Drawn by	Author	ScaleAs indicated
Checked by	Checker	

5/29/2014 11:18:49 AM

**AI-1085**

**R2d**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Create and implement a Comprehensive Land Use/Revitalization Plan

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**AGENDA CAPTION:**

Approval of Ordinance No. O14-032 changing the zoning on property located at 5076 Addison Circle (Union Park) which property is currently zoned UC, Urban Center, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

**BACKGROUND:**

This item is to formally adopt the zoning ordinance for Case 1700-SUP/Union Park. This case was originally heard by the City Council on August 12, 2014 where it was approved unanimously.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June, 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance.

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Ordinance O14-032

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**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 014-032**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO REPEAL ORDINANCE NO. 000-038 AND TO GRANT SPECIAL USE PERMITS FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF ADDISON UNION PARK, LLC, FOR PROPERTY LOCATED AT 5076 ADDISON CIRCLE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the property located at 5076 Addison Circle is part of the Addison Circle development and is zoned as Urban Center; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**Section 1.** That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**Section 2.** That Ordinance No. 000-038 is hereby repealed.

**Section 3.** That a Special Use Permit authorizing a restaurant use and a Special Use Permit authorizing the sale of alcoholic beverages for on-premises consumption only, on the property located at 5076 Addison Circle, are hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plan, and the elevation drawings, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.
- (b) The Special Use Permit granted herein for a restaurant with the sale of alcoholic beverages for on-premises consumption only shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 3,835 square feet.



- (c) No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas.
- (d) The sale of alcoholic beverages under this Special Use Permit shall be permitted in restaurants. Restaurants are hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- (e) Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of subparagraph (d) above are being met.
- (f) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (g) If the property for which these Special Use Permits are granted is not used for the purposes for which said permits were granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning and repeal of the Special Use Permits granted herein.
- (h) If a license or permit to sell alcoholic beverages on property covered by this Special Use Permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning repeal of the Special Use Permits granted herein.
- (i) The establishment shall not use the term “bar”, “tavern”, or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.

**Section 4.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

**Section 5.** That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

**Section 6.** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 7.** That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,** on this the 12th day of August, 2014.

\_\_\_\_\_  
Todd Meier, Mayor

ATTEST:

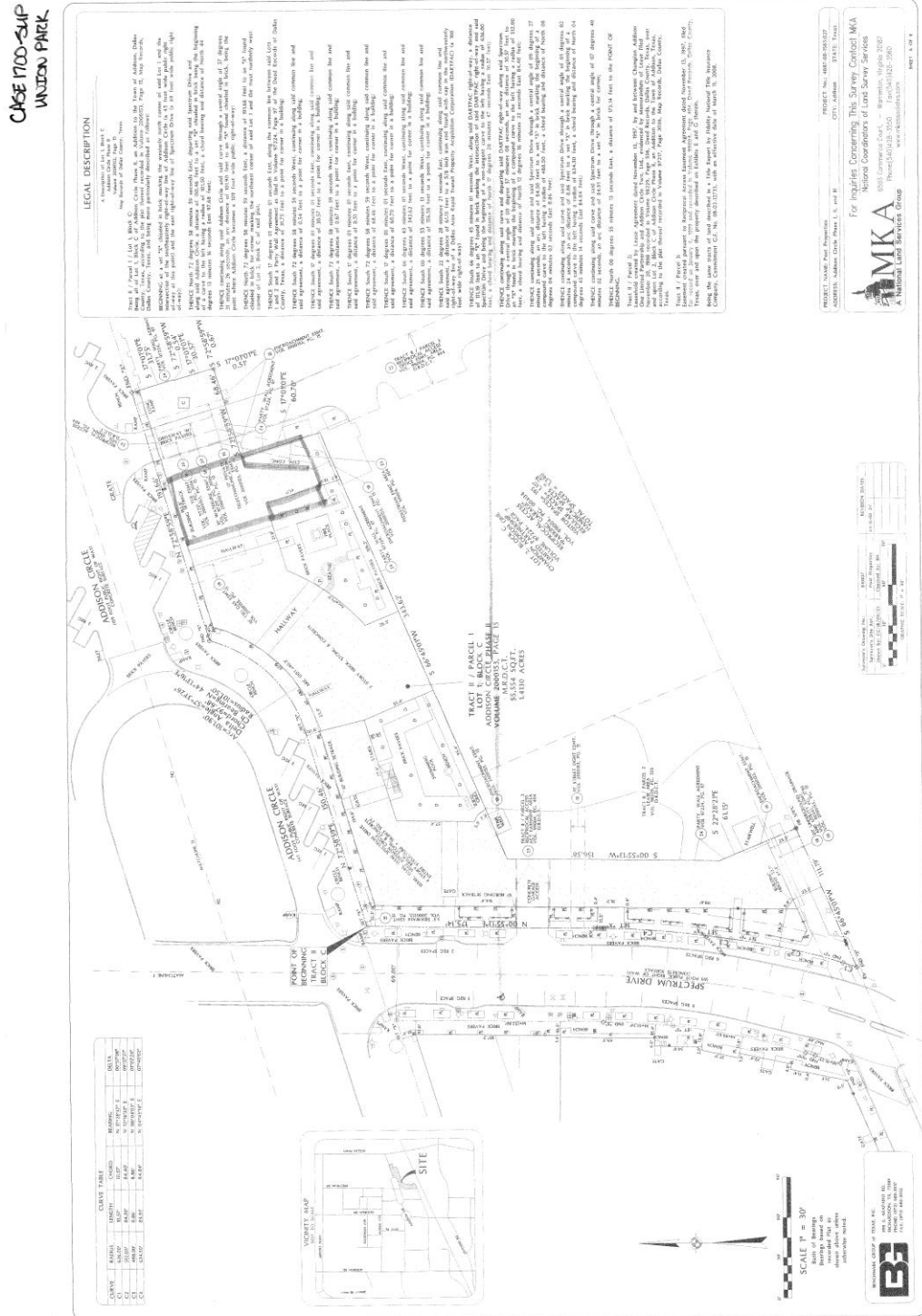
\_\_\_\_\_  
Chelsea Gonzalez, City Secretary

CASE NO: 1700-SUP/Union Park

APPROVED AS TO FORM:

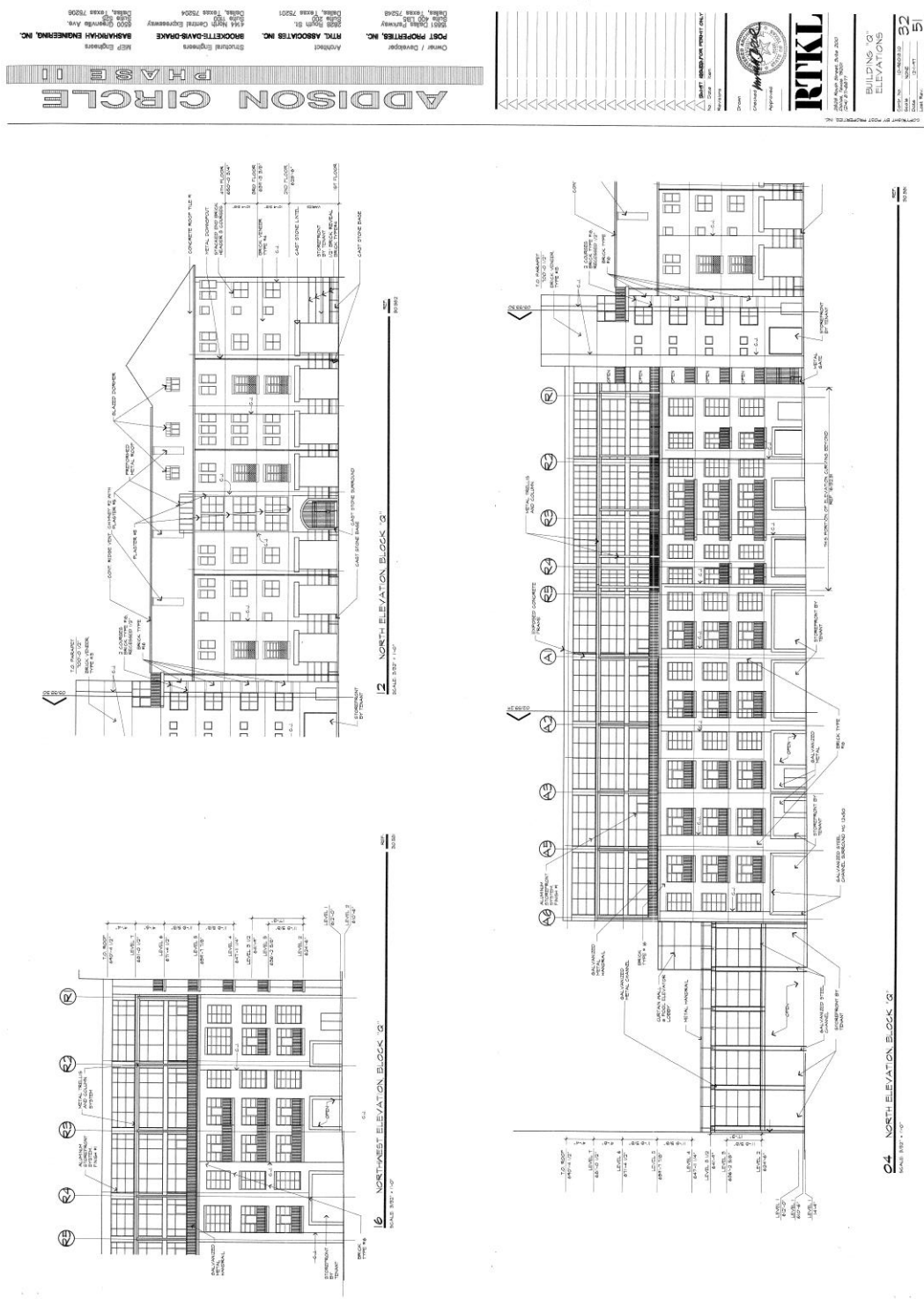
\_\_\_\_\_  
Brenda N. McDonald, City Attorney

PUBLISHED ON: \_\_\_\_\_

**EXHIBIT A**



## **EXHIBIT A**



**AI-1087**

**R2e**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Create and implement a Comprehensive Land Use/Revitalization Plan

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**AGENDA CAPTION:**

Approval of Ordinance No. O14-052 changing the zoning on property located at 4866 Belt Line Road (ZuZu's Handmade Mexican Food), which property is currently zoned LR, Local Retail, by amending an existing Special Use Permit for a restaurant and by amending an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

**BACKGROUND:**

This item is to formally adopt the zoning ordinance for Case 1704-SUP/ZuZu's Handmade Mexican Food. This case was originally heard by the City Council on October 14, 2014 where it was approved unanimously.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance.

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Ordinance O14-052

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**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 014-052**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS AS HERETOFORE AMENDED TO AMEND SPECIAL USE PERMIT ORDINANCE NUMBER 093-022 SO AS TO PROVIDE FOR AN AMENDMENT TO EXISTING SPECIAL USE PERMITS FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF LA SALSA RESTAURANT, INC., FOR PROPERTY LOCATED AT 4866 BELT LINE ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the property located at 4866 Belt Line Road is an existing restaurant and is zoned as Local Retail with an existing Special Use Permit for a restaurant and an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**Section 1.** That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**Section 2.** That Ordinance No. 093-022 is hereby amended to add the revised floor plan including the addition of a bar area, which is attached hereto as **Exhibit A** and made a part hereof for all purposes;

**Section 3.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

**Section 4.** That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not



have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

**Section 5.** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 6.** That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 14th day of October, 2014.**

\_\_\_\_\_  
Todd Meier, Mayor

ATTEST:

\_\_\_\_\_  
Chelsea Gonzalez, City Secretary

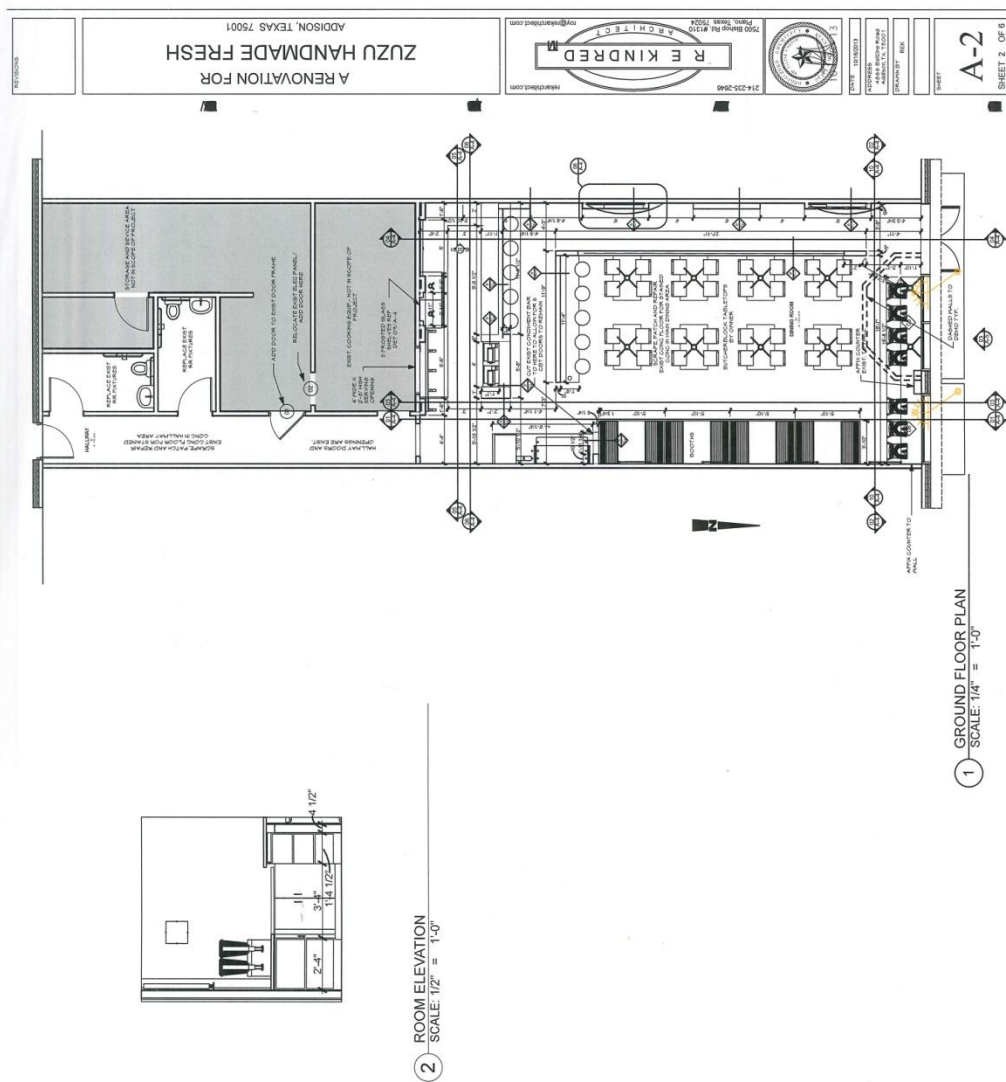
CASE NO: 1704-SUP ZuZu's Handmade Mexican Food

APPROVED AS TO FORM:

\_\_\_\_\_  
Brenda N. McDonald, City Attorney

PUBLISHED ON: \_\_\_\_\_

**EXHIBIT A**



**Work Session and Regular Meeting****Meeting Date:** 04/28/2015**Department:** Infrastructure- Development Services**Council Goals:** Create and implement a Comprehensive Land Use/Revitalization Plan

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**AGENDA CAPTION:**

Approval of Ordinance No. O14-057 changing the zoning on properties located at 5001 Belt Line Road (Ida Claire), which property is currently zoned PD (Planned Development) through Ordinance O91-043 and 5035 Quorum Drive, which property is currently zoned LR (Local Retail) through Ordinance 392, by approving for the properties a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

**BACKGROUND:**

This item is to formally adopt the zoning ordinance for Case 1705-SUP/Ida Claire. This case was originally heard by the City Council on December 9, 2014 where it was approved unanimously.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance.

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Ordinance O14-057

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**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 014-057**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO REPEAL ORDINANCE NO. 096-043 AND TO GRANT SPECIAL USE PERMITS FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF FRONT BURNER RESTAURANTS, FOR PROPERTIES LOCATED AT 5001 BELT LINE ROAD AND 5035 QUORUM DRIVE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the property located at 5001 Belt Line Road is zoned as a Planned Development through Ordinance No. 084-067 as amended by Ordinance No. 091-043 and is currently used as a restaurant; and

**WHEREAS**, the property located at 5035 Quorum Drive is zoned as Local Retail and currently serves as the parking lot for the restaurant located at 5001 Belt Line Road; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**Section 1.** That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**Section 2.** That Ordinance No. 096-043 is hereby repealed.

**Section 3.** That a Special Use Permit authorizing a restaurant use and a Special Use Permit authorizing the sale of alcoholic beverages for on-premises consumption only, on the properties located at 5011 Belt Line Road and 5035 Quorum Drive, are hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plan, landscape plan and the elevation drawings showing four exterior walls, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.

- (b) The Special Use Permit granted herein for a restaurant with the sale of alcoholic beverages for on-premises consumption only shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 8,183 square feet.
- (c) No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas.
- (d) The sale of alcoholic beverages under this Special Use Permit shall be permitted in restaurants. Restaurants are hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- (e) Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of subparagraph (d) above are being met.
- (f) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (g) If the property for which these Special Use Permits are granted is not used for the purposes for which said permits were granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning and repeal of the Special Use Permits granted herein.
- (h) If a license or permit to sell alcoholic beverages on property covered by this Special Use Permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning repeal of the Special Use Permits granted herein.
- (i) The establishment shall not use the term “bar”, “tavern”, or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.
- (j) The applicant shall grant the necessary license agreements to install future pedestrian enhancements along Quorum Drive.

**Section 4.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

**Section 5.** That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not

have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

**Section 6.** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 7.** That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 9th day of December, 2014.**

\_\_\_\_\_  
Todd Meier, Mayor

ATTEST:

\_\_\_\_\_  
Chelsea Gonzalez, City Secretary

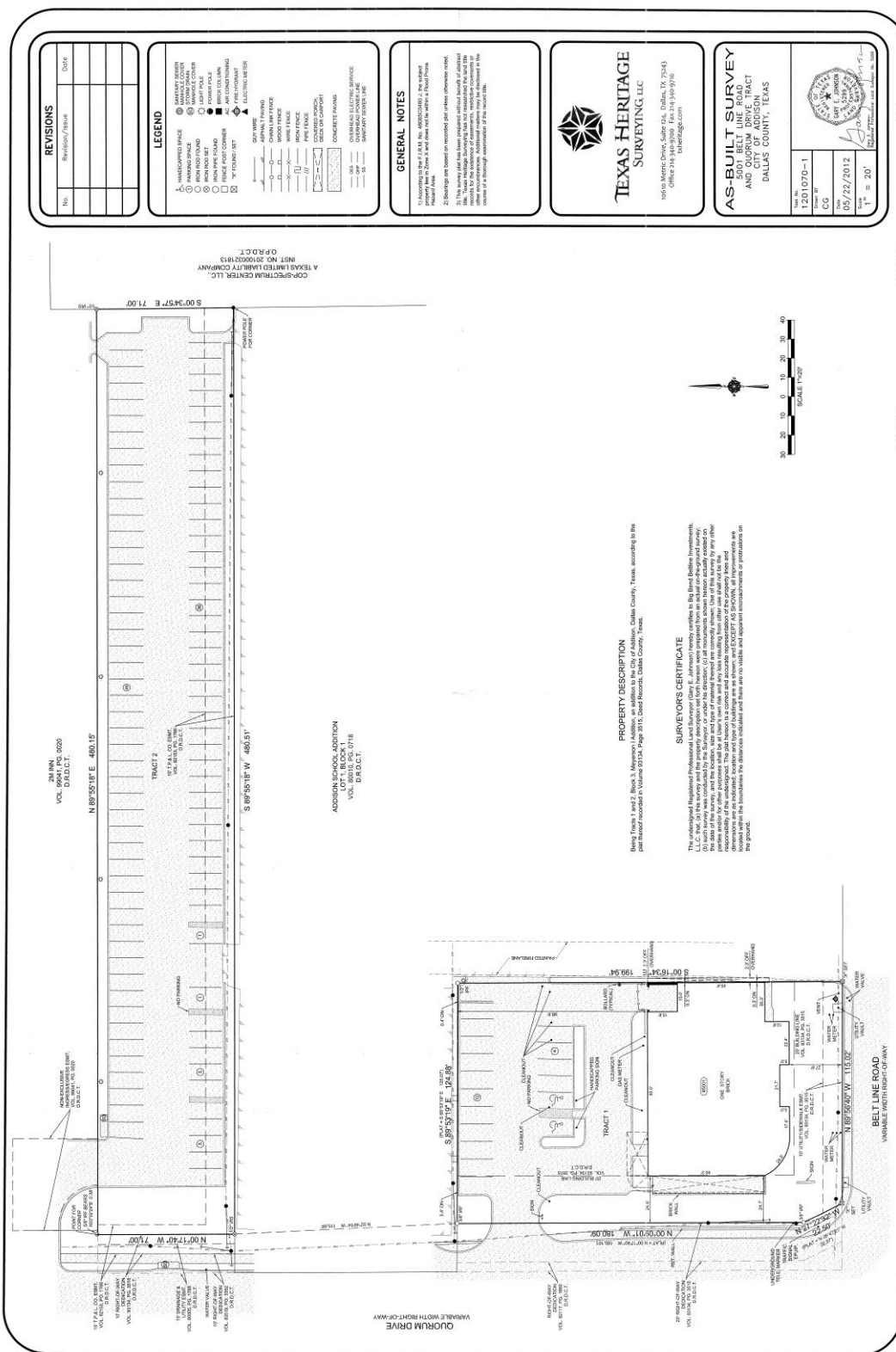
CASE NO: 1705-SUP/Ida Claire

APPROVED AS TO FORM:

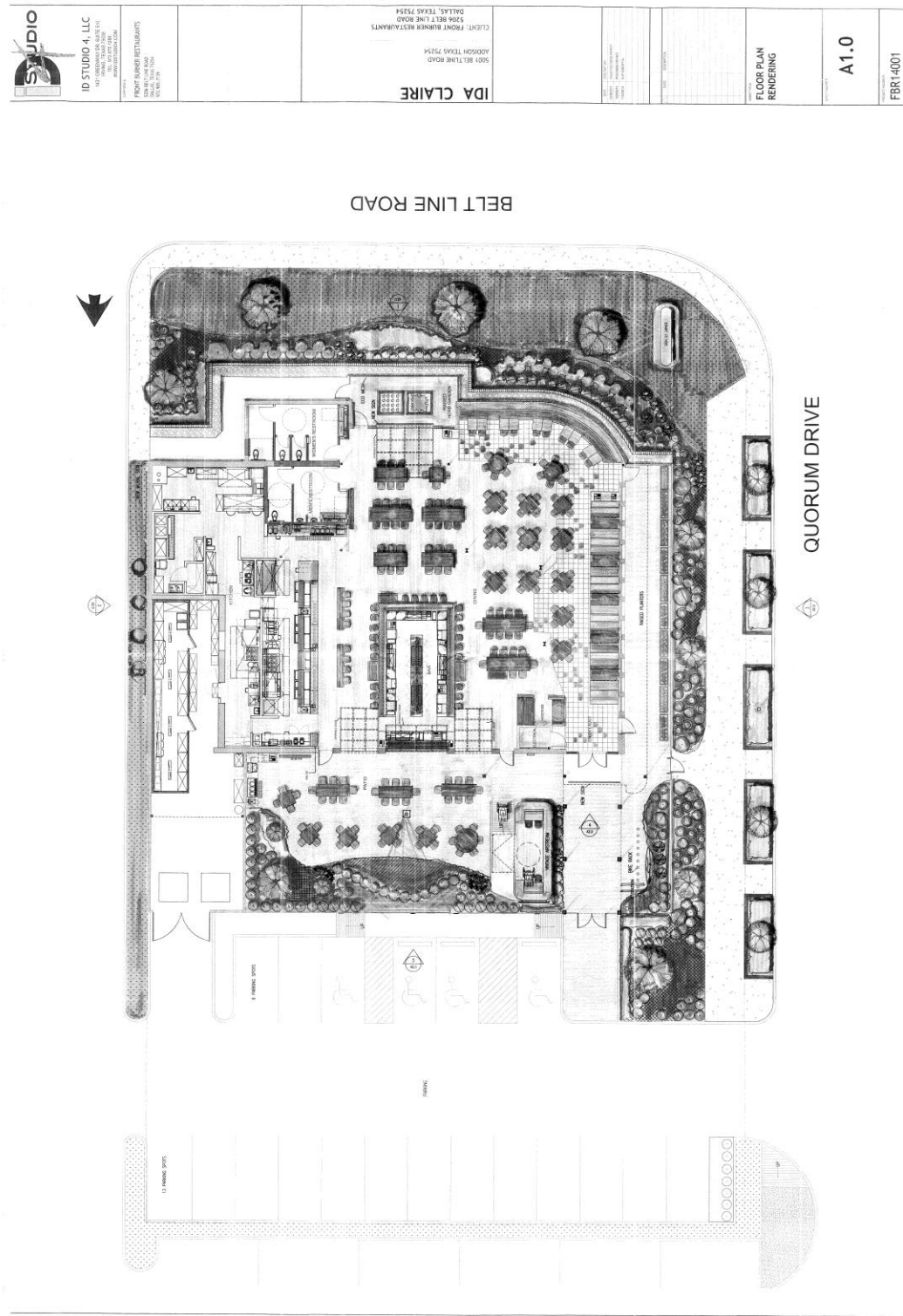
\_\_\_\_\_  
Brenda N. McDonald, City Attorney

PUBLISHED ON: \_\_\_\_\_

## EXHIBIT A

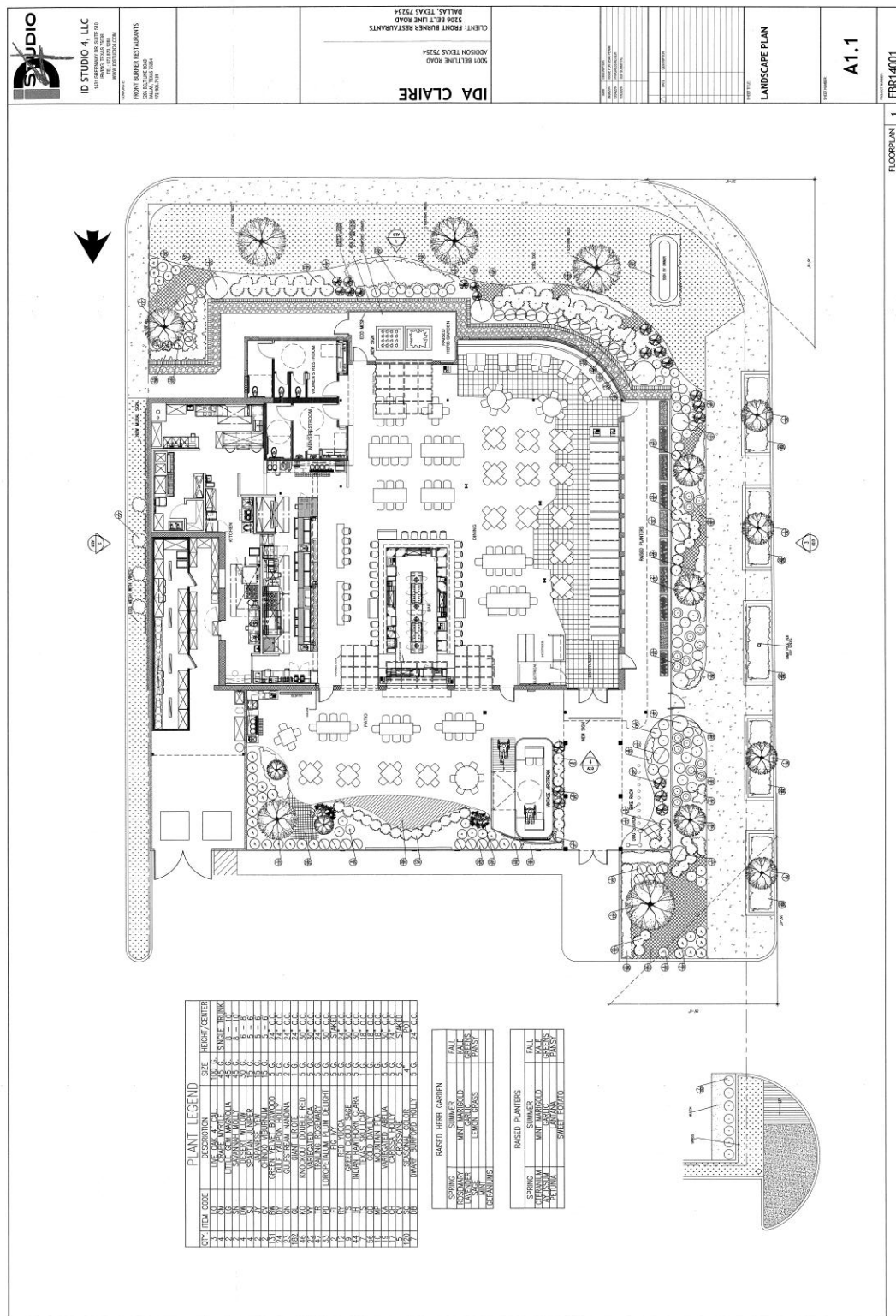


**EXHIBIT A**

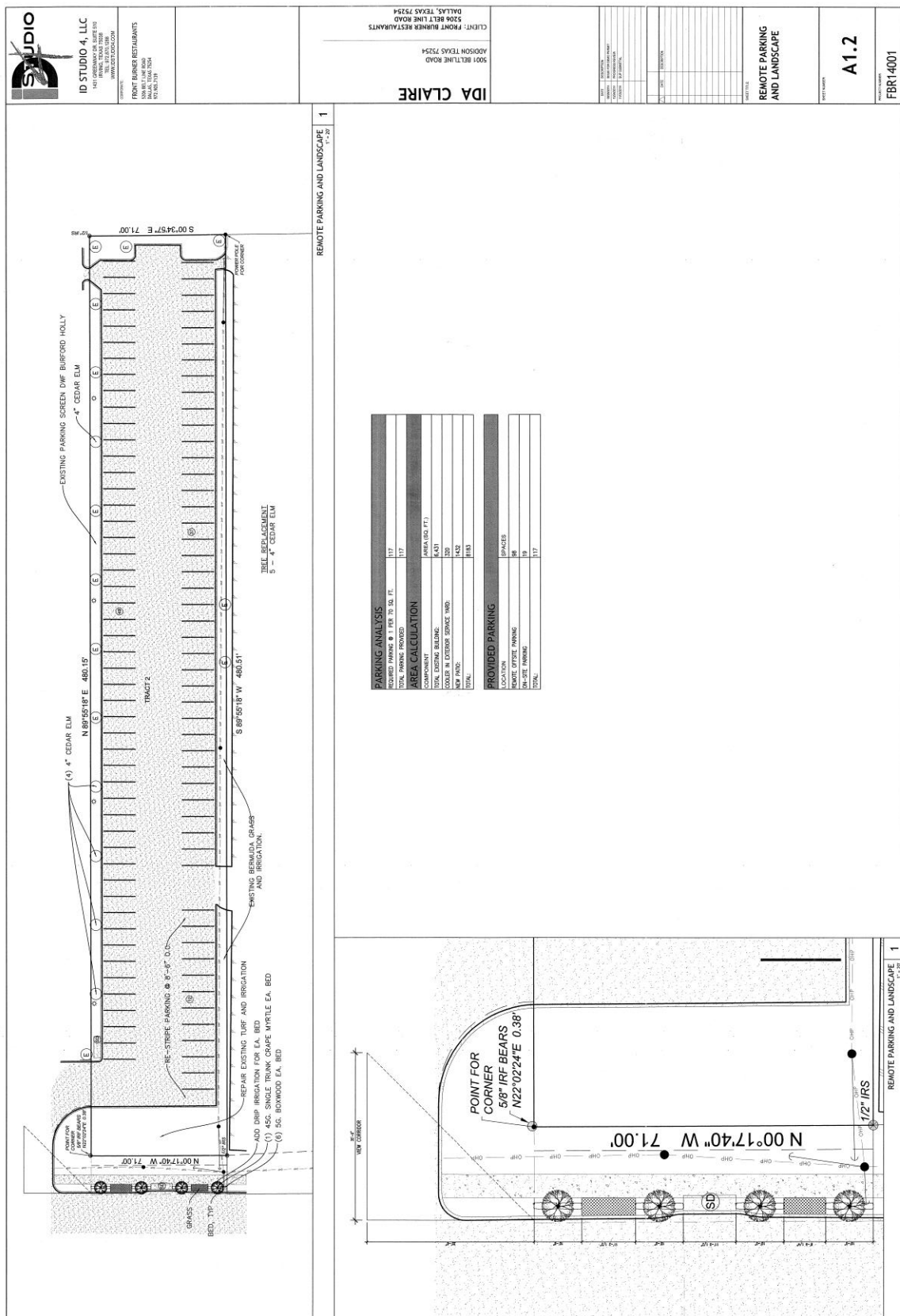




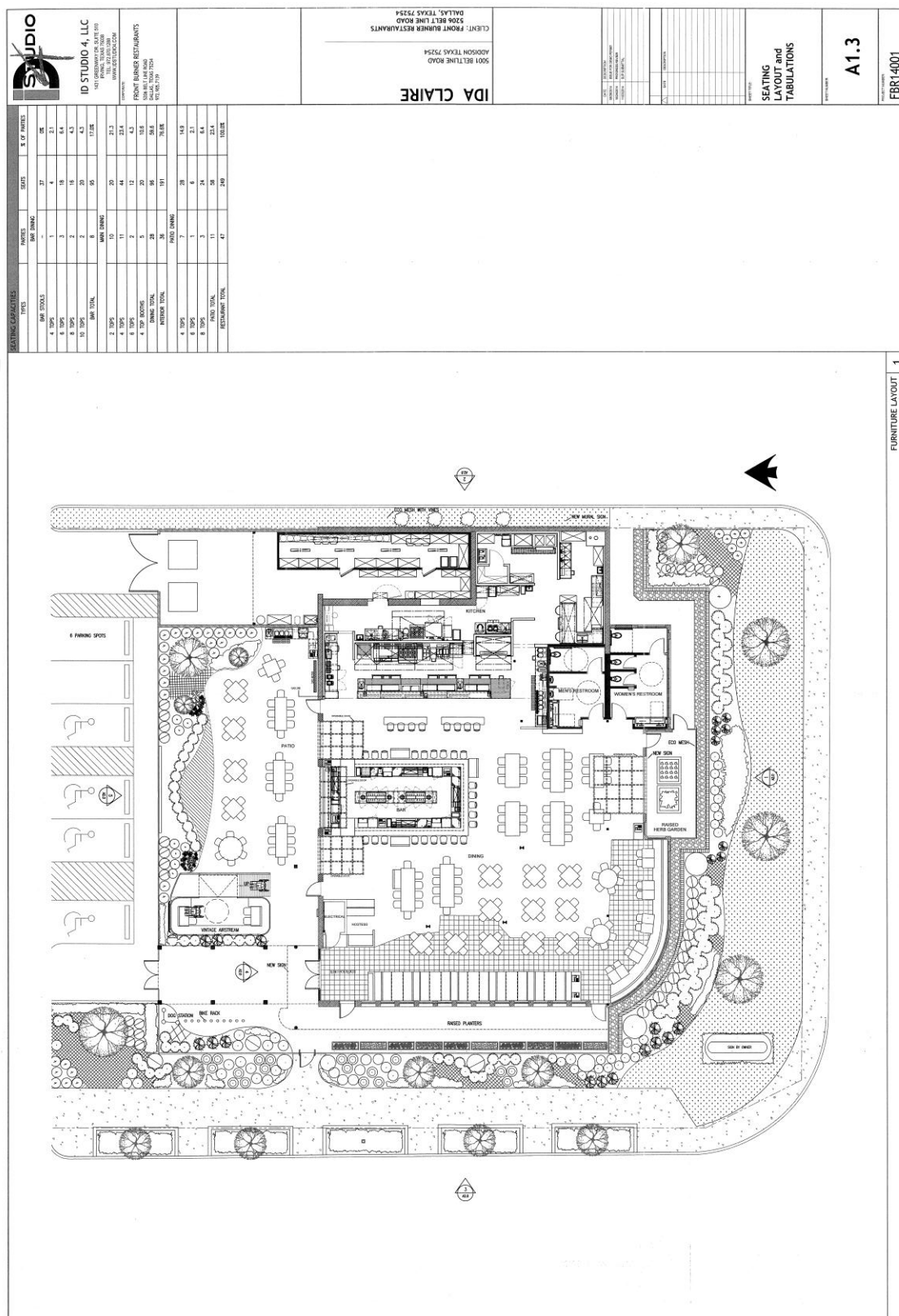
## **EXHIBIT A**



## **EXHIBIT A**



## **EXHIBIT A**



## **EXHIBIT A**

The architectural rendering displays four exterior elevations of the IDA CLAIRE building, oriented South, East, West, and North. Each elevation is labeled with its respective orientation and scale (1/8" = 1'-0"). The South Elevation (1) shows the building's facade with a new metal awning, new openable door, existing brick, new brick wall, new corner railway, and new fence. The East Elevation (2) shows the building's side profile with a new metal awning, new openable door, existing brick, new brick wall, new corner railway, and new fence. The West Elevation (3) shows the building's side profile with a new metal awning, new openable door, existing brick, new brick wall, new corner railway, and new fence. The North Elevation (4) shows the building's front facade with a new metal awning, new openable door, existing brick, new brick wall, new corner railway, and new fence. The rendering includes detailed architectural drawings of the building's exterior, including the roofline, windows, doors, and surrounding landscape with trees and a fence.

**AI-1089**

**R2g**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Create and implement a Comprehensive Land Use/Revitalization Plan

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**AGENDA CAPTION:**

Approval of Ordinance No. O14-058 changing the zoning on property located at 4180 Belt Line Road (Snuffers), which property is currently zoned PD, Planned Development, through Ordinance O91-066, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

**BACKGROUND:**

This item is to formally adopt the zoning ordinance for Case 1706-SUP/Snuffers. This case was originally heard by the City Council on December 9, 2014 where it was approved unanimously.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance.

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Ordinance O14-058

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**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 014-058**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS TO REPEAL ORDINANCE NO. 002-003 AND TO GRANT SPECIAL USE PERMITS FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF FIREBIRD RESTAURANT GROUP, FOR PROPERTY LOCATED AT 4180 BELT LINE ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the property located at 4180 Belt Line Road is zoned as Planned Development District 091-066; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**Section 1.** That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**Section 2.** That Ordinance No. 002-003 is hereby repealed.

**Section 3.** That a Special Use Permit authorizing a restaurant use and a Special Use Permit authorizing the sale of alcoholic beverages for on-premises consumption only, on the property located at 4180 Belt Line, are hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plan, landscape plan, and the elevation drawings showing four exterior walls, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.
- (b) The Special Use Permit granted herein for a restaurant with the sale of alcoholic beverages for on-premises consumption only shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 5,951 square feet.

- (c) No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas.
- (d) The sale of alcoholic beverages under this Special Use Permit shall be permitted in restaurants. Restaurants are hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- (e) Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of subparagraph (d) above are being met.
- (f) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (g) If the property for which these Special Use Permits are granted is not used for the purposes for which said permits were granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning and repeal of the Special Use Permits granted herein.
- (h) If a license or permit to sell alcoholic beverages on property covered by this Special Use Permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning repeal of the Special Use Permits granted herein.
- (i) The establishment shall not use the term “bar”, “tavern”, or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.

**Section 4.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

**Section 5.** That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

**Section 6.** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 7.** That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

**PASSED AND APPROVED** BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 9th day of December, 2014.

\_\_\_\_\_  
Todd Meier, Mayor

ATTEST:

\_\_\_\_\_  
Chelsea Gonzalez, City Secretary

CASE NO: 1706-SUP/Snuffers

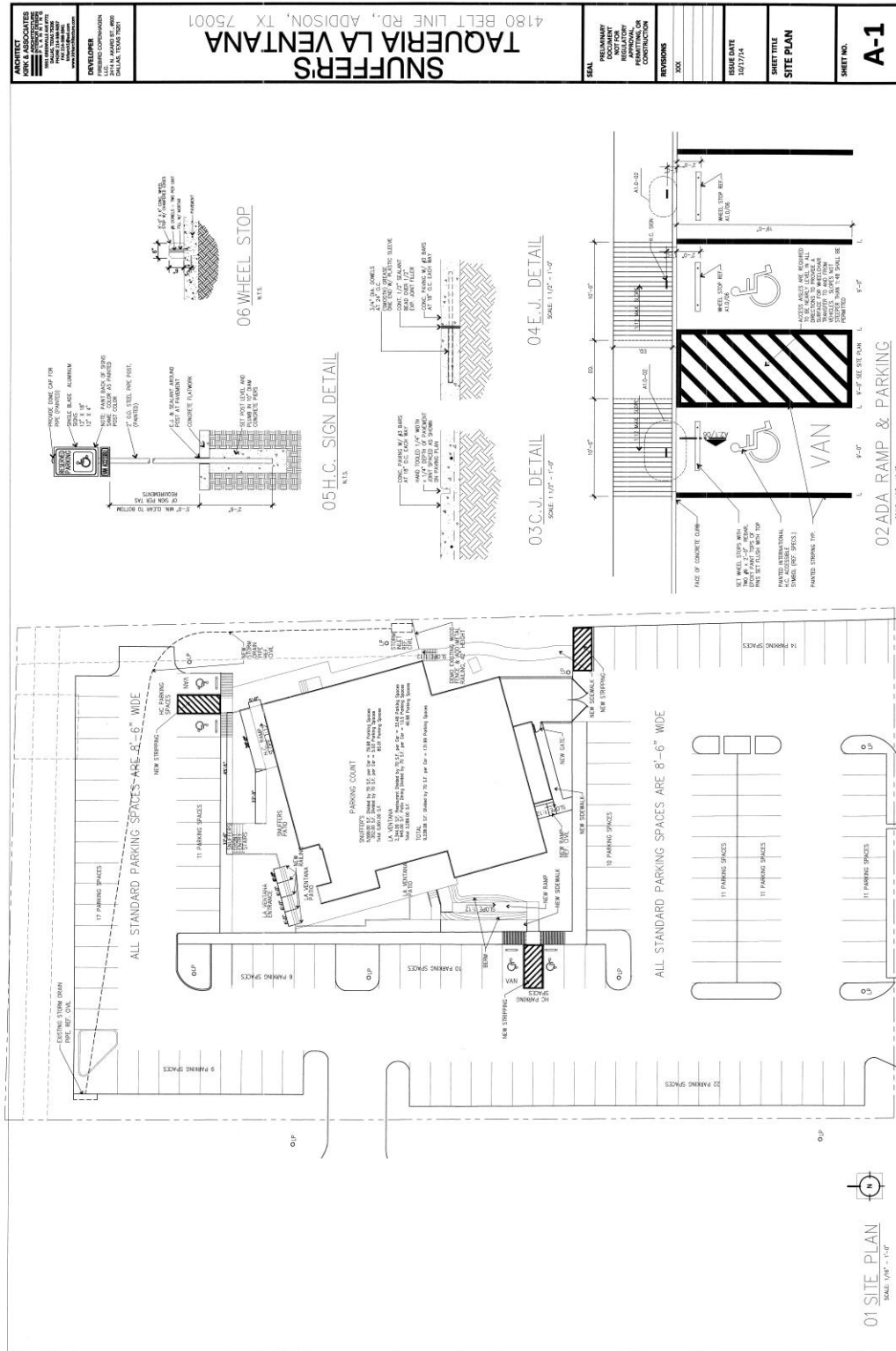
APPROVED AS TO FORM:

\_\_\_\_\_  
Brenda N. McDonald, City Attorney

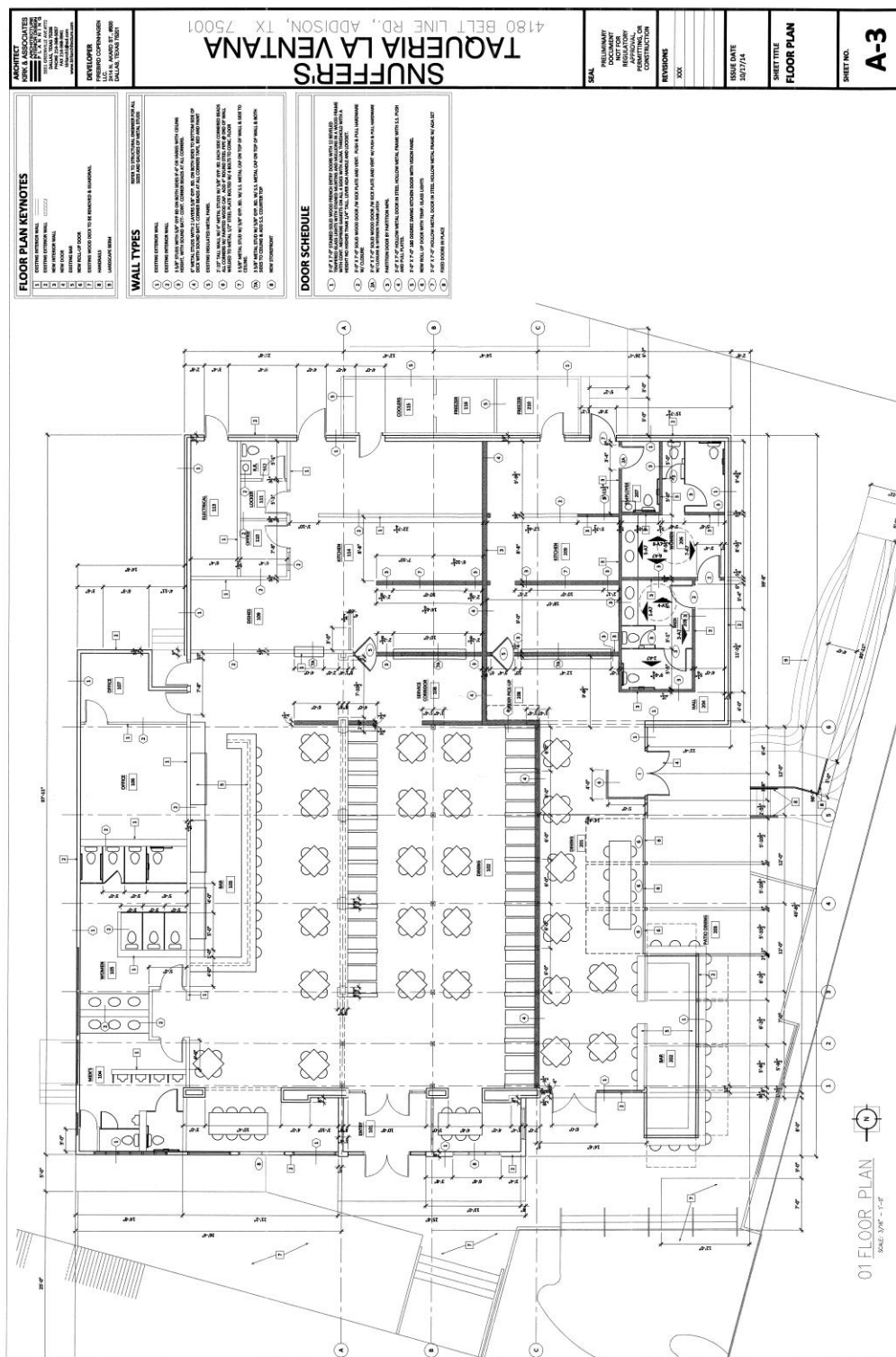
PUBLISHED ON: \_\_\_\_\_



# **EXHIBIT A**



## **EXHIBIT A**



## **EXHIBIT A**

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**EXHIBIT A**

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## EXHIBIT A

[illegible]

**AI-1090**

**R2h**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Create and implement a Comprehensive Land Use/Revitalization Plan

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**AGENDA CAPTION:**

Approval of Ordinance No. O14-059, changing the zoning on property located at 4180 Belt Line Road (La Ventana), which property is currently zoned PD, Planned Development, through Ordinance O91-066, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

**BACKGROUND:**

This item is to formally adopt the zoning ordinance for Case 1707-SUP/La Ventana. This case was originally heard by the City Council on December 9, 2014 where it was approved unanimously.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance.

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Ordinance O14-059

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**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 014-059**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS TO GRANT SPECIAL USE PERMITS FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF FIREBIRD RESTAURANT GROUP, FOR PROPERTY LOCATED AT 4180 BELT LINE ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the property located at 4180 Belt Line Road is zoned as Planned Development District 091-066; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**Section 1.** That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**Section 2.** That a Special Use Permit authorizing a restaurant use and a Special Use Permit authorizing the sale of alcoholic beverages for on-premises consumption only, on the property located at 4180 Belt Line, are hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plan, landscape plan, and the elevation drawings showing four exterior walls, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.
- (b) The Special Use Permit granted herein for a restaurant with the sale of alcoholic beverages for on-premises consumption only shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 3,289 square feet.
- (c) No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas.



- (d) The sale of alcoholic beverages under this Special Use Permit shall be permitted in restaurants. Restaurants are hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- (e) Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of subparagraph (d) above are being met.
- (f) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (g) If the property for which these Special Use Permits are granted is not used for the purposes for which said permits were granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning and repeal of the Special Use Permits granted herein.
- (h) If a license or permit to sell alcoholic beverages on property covered by this Special Use Permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning repeal of the Special Use Permits granted herein.
- (i) The establishment shall not use the term “bar”, “tavern”, or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.

**Section 3.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

**Section 4.** That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

**Section 5.** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 6.** That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

**PASSED AND APPROVED** BY THE CITY COUNCIL OF THE TOWN OF  
ADDISON, TEXAS, on this the 9th day of December, 2014.

\_\_\_\_\_  
Todd Meier, Mayor

ATTEST:

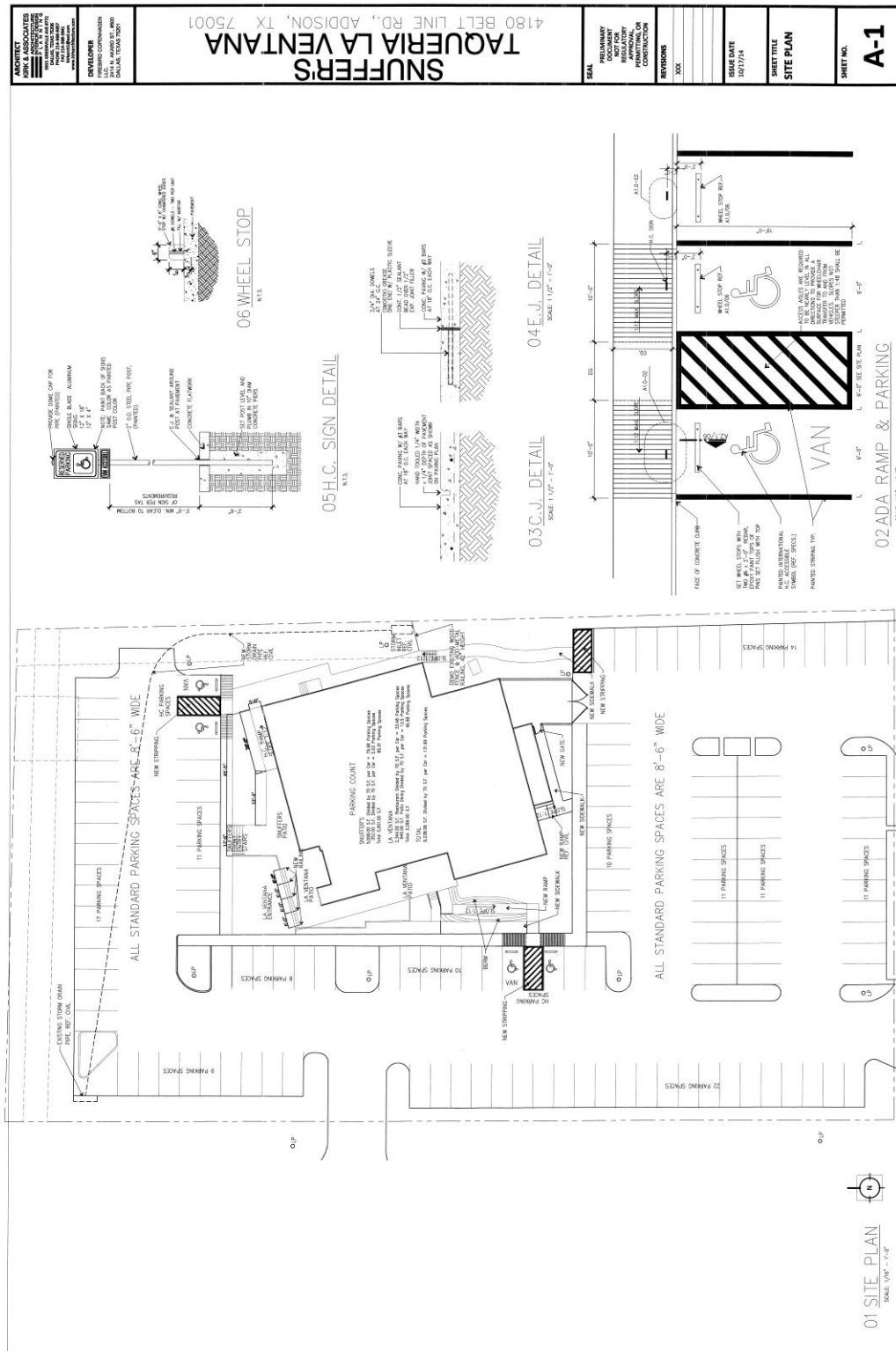
\_\_\_\_\_  
Chelsea Gonzalez, City Secretary

CASE NO: 1707-SUP/La Ventana

APPROVED AS TO FORM:

\_\_\_\_\_  
Brenda N. McDonald, City Attorney

PUBLISHED ON: \_\_\_\_\_

**EXHIBIT A**

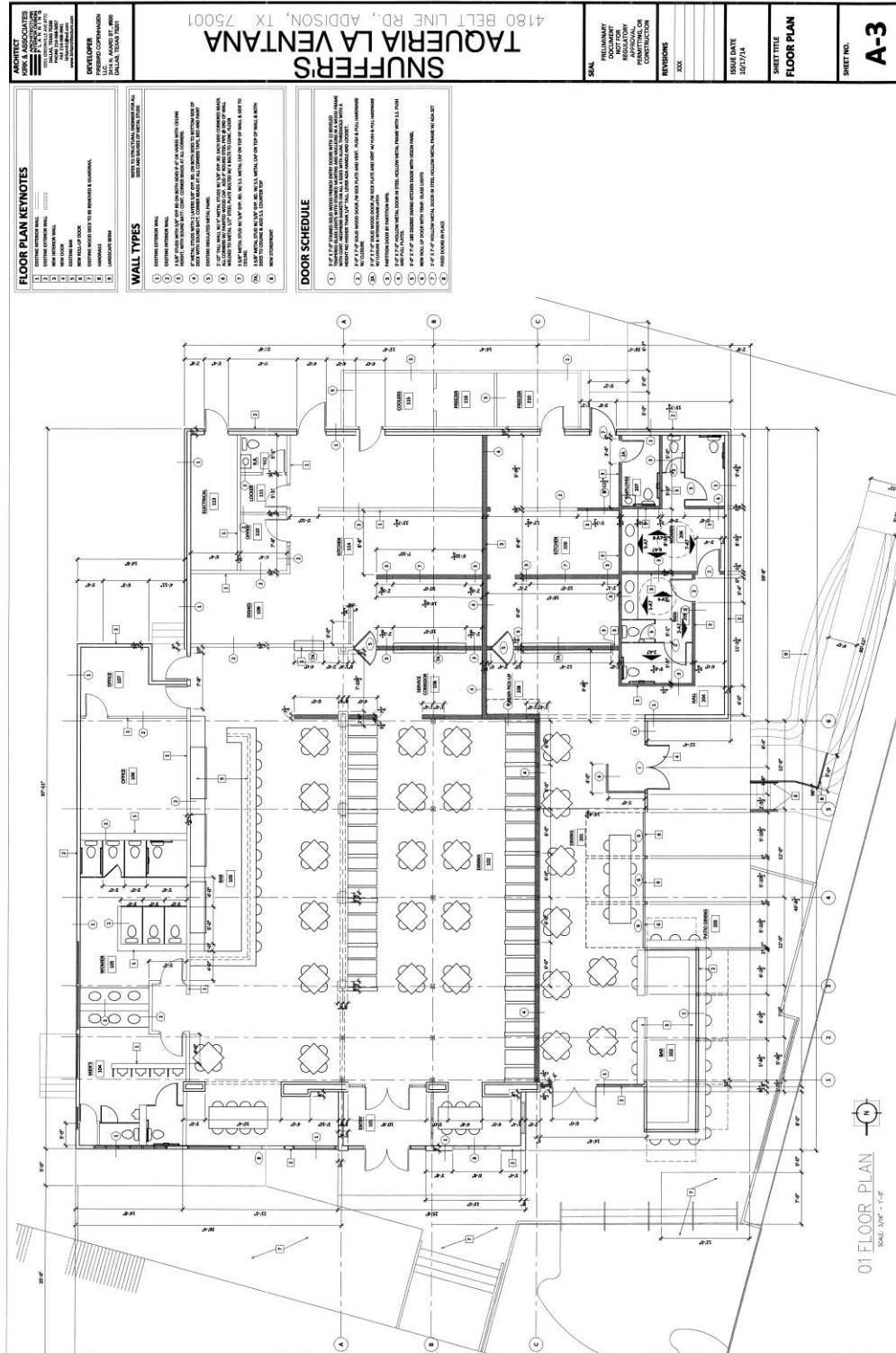
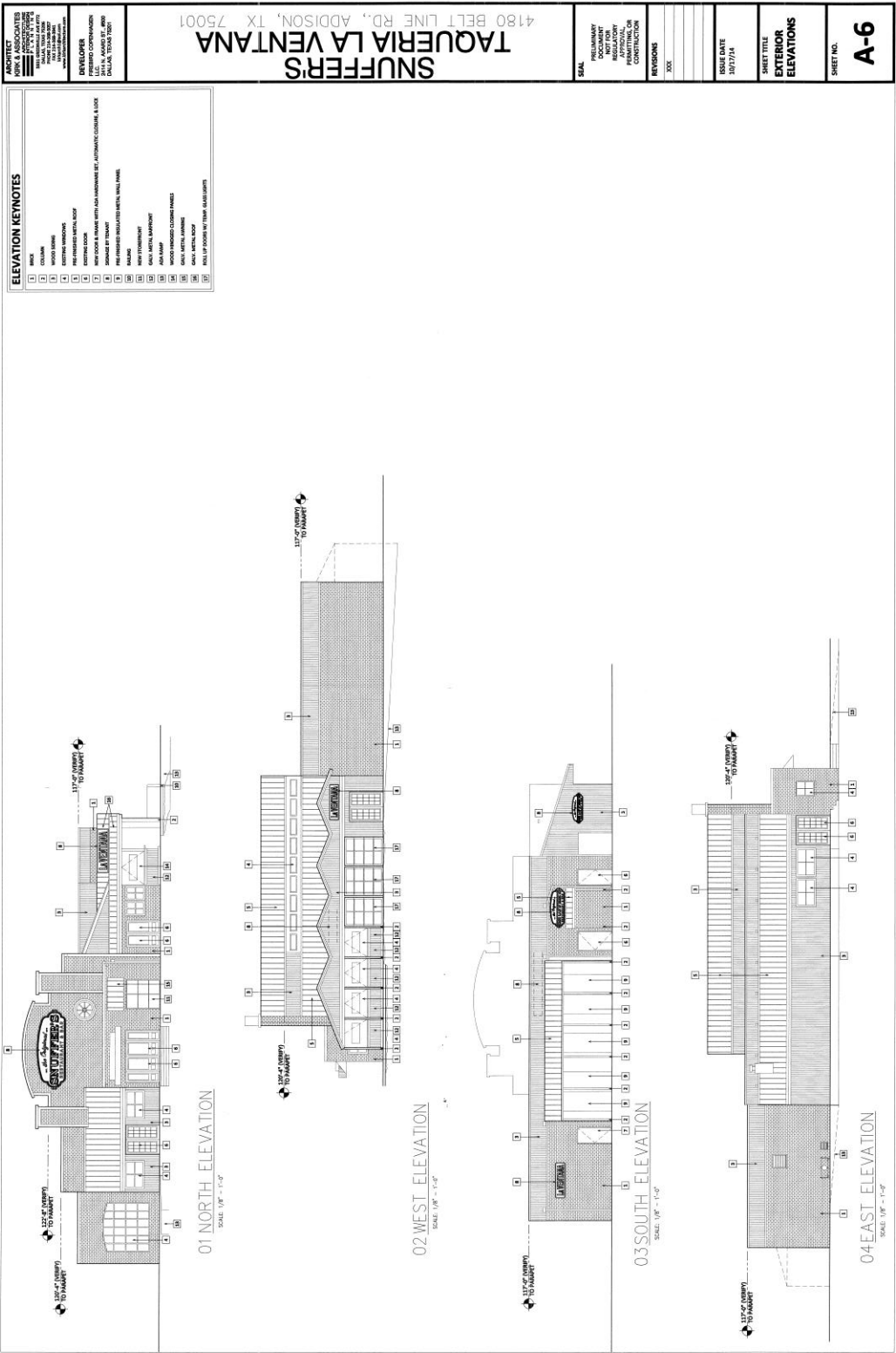
**EXHIBIT A**

EXHIBIT A



## EXHIBIT A

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**EXHIBIT A**

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## EXHIBIT A

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**Work Session and Regular Meeting****Meeting Date:** 04/28/2015**Department:** Infrastructure- Development Services**Council Goals:** Create and implement a Comprehensive Land Use/Revitalization Plan

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**AGENDA CAPTION:**

Approval of Ordinance No. O15-001, changing the zoning on property located at 3761 Belt Line Road (Fast Furious Japanese Grill), which property is currently zoned PD, Planned Development, through Ordinance O98-049, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

**BACKGROUND:**

This item is to formally adopt the zoning ordinance for Case 1708-SUP/Fast Furious Japanese Grill. This case was originally heard by the City Council on January 27, 2015 where it was approved unanimously.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance.

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Ordinance O15-001

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**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 015-001**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS AS HERETOFORE AMENDED TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT, ON APPLICATION OF 2F2, INC., FOR PROPERTY LOCATED AT 3761 BELT LINE ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the property located at 3761 Belt Line Road is part of the Addison Plaza development and is zoned as Planned Development District 098-049; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**Section 1.** That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**Section 2.** That a Special Use Permit authorizing a restaurant, on the property located at 3761 Belt Line road, are hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plan, landscape plan, and the elevation drawings showing four exterior walls, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.
- (b) The Special Use Permit granted herein for a restaurant shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 2,580 square feet.
- (c) No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas.
- (d) If the property for which the special use permit is granted and is not used for the purposes for which said permit was granted within one (1) year after the adoption of

this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning and repeal of the Special Use Permit granted herein.

**Section 3.** That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

**Section 4.** That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

**Section 5.** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 6.** That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 27th day of January, 2015.**

\_\_\_\_\_  
Todd Meier, Mayor

ATTEST:

\_\_\_\_\_  
Chelsea Gonzalez, City Secretary

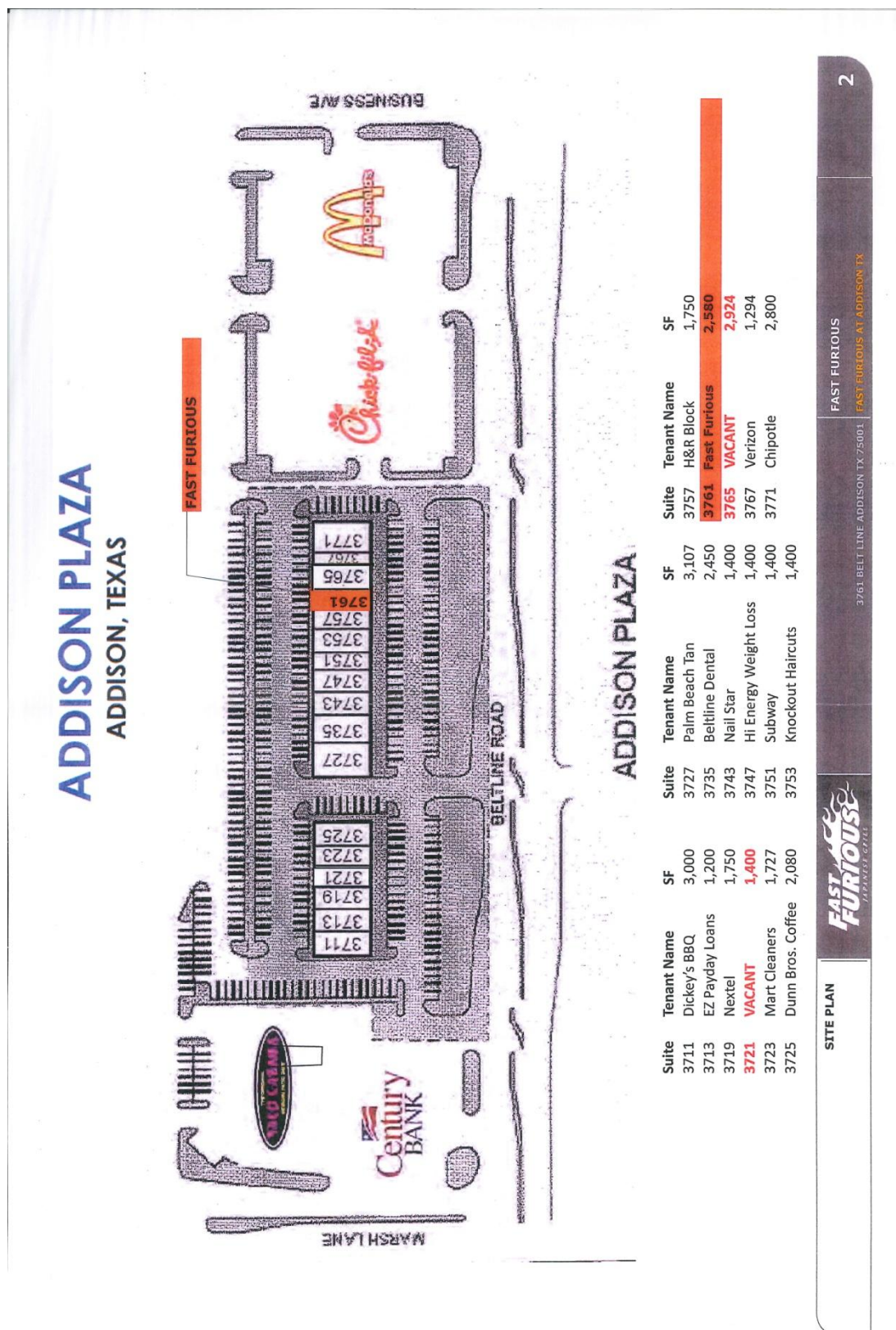
CASE NO: 1708-SUP/Fast Furious Japanese Grill

APPROVED AS TO FORM:

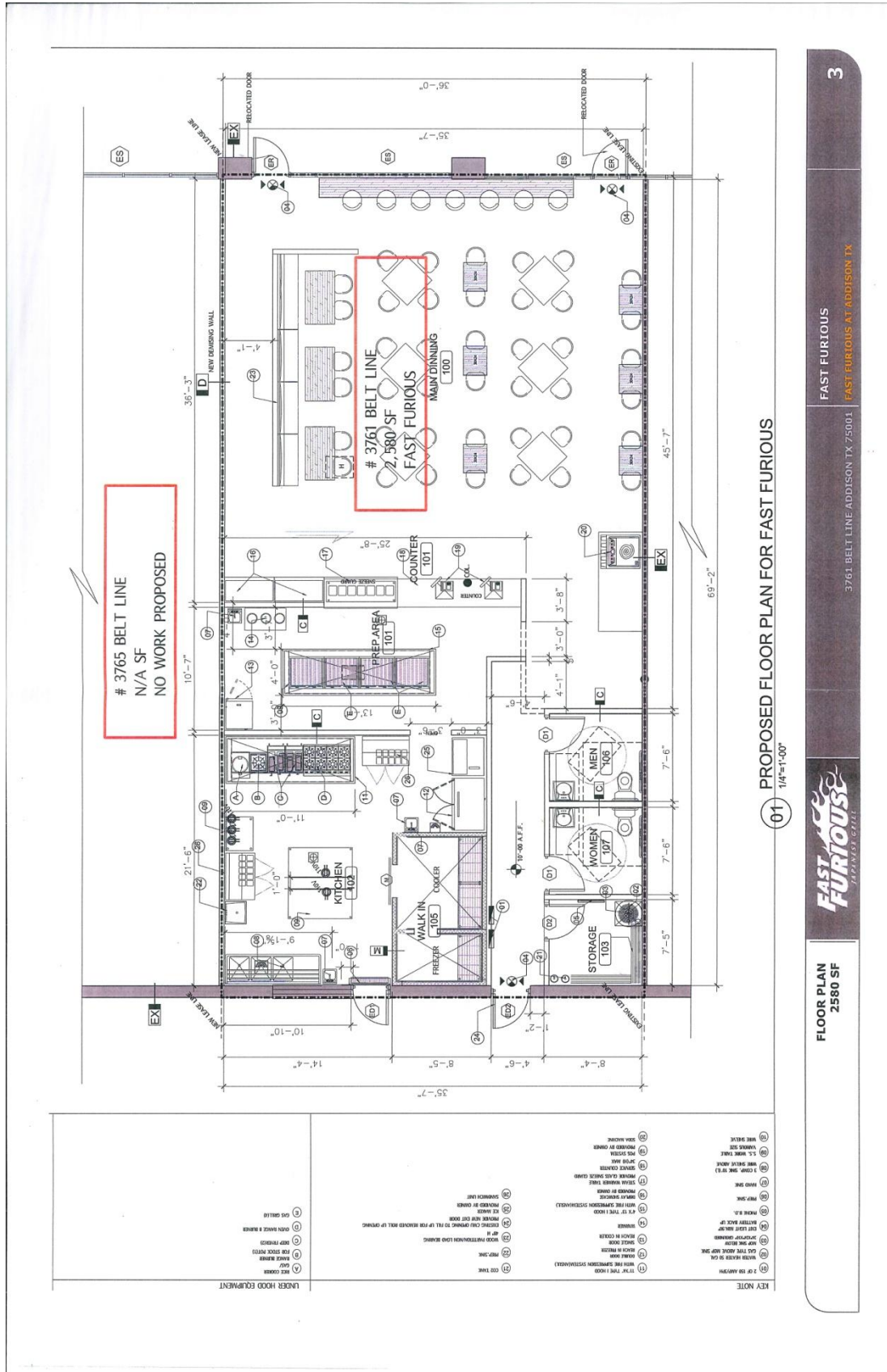
\_\_\_\_\_  
Brenda N. McDonald, City Attorney

PUBLISHED ON: \_\_\_\_\_

## EXHIBIT A

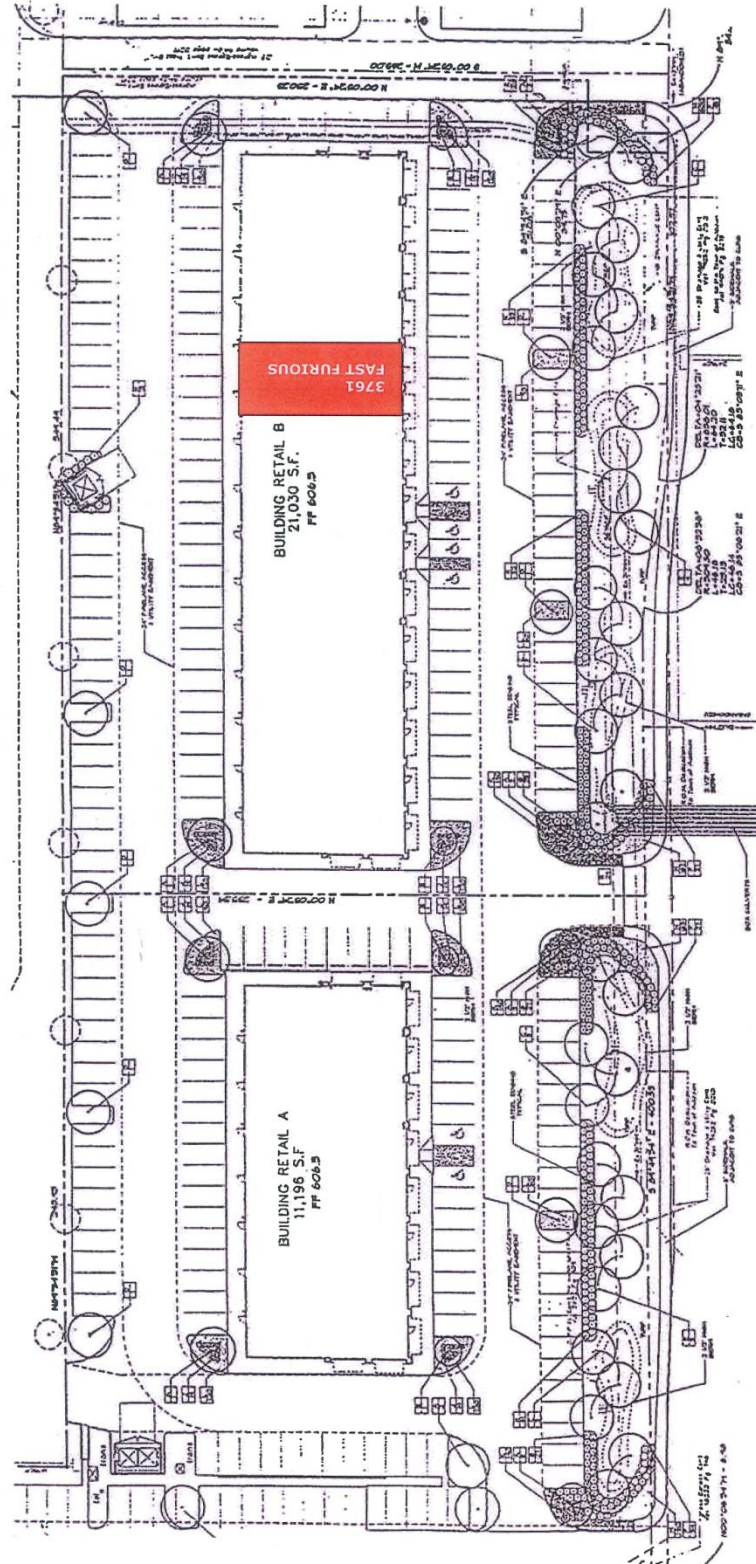


# **EXHIBIT A**





**EXHIBIT A**



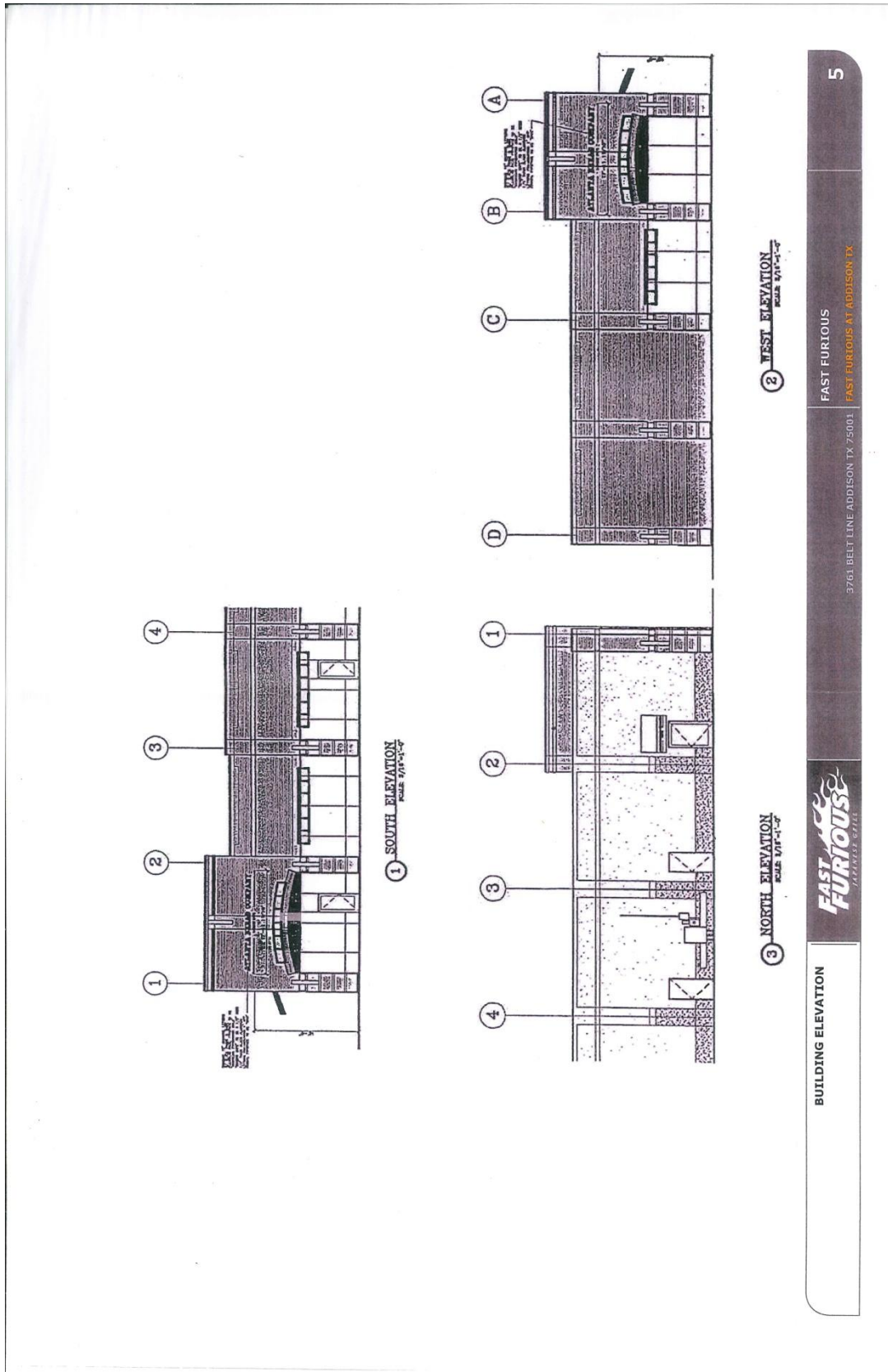
LANDSCAPING PLAN



FAST FURIOUS

3761 BELT LINE ADDISON TX 75001  
FAST FURIOUS AT ADDISON TX

**EXHIBIT A**



**AI-1092**

**R2j**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Create and implement a Comprehensive Land Use/Revitalization Plan

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**AGENDA CAPTION:**

Approval of Ordinance No. O15-002 amending the Code of Ordinances of the Town by amending Appendix A - Zoning, thereof, the same being the Comprehensive Zoning Ordinance by amending Article XIV (I-3 Industrial District Regulations), Section 1, by adding airport to the list of permitted uses in the I-3 Industrial District and amending Article XXX (Definitions) by adding thereto a definition of airport.

**BACKGROUND:**

This item is to formally adopt the zoning ordinance for the Addison Airport. This case was originally heard by the City Council on January 27, 2015 where it was approved unanimously.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance.

**RECOMMENDATION:**

Administration recommends approval.

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**Attachments**

Ordinance O15-002

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**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 015-002**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE CODE OF ORDINANCES OF THE TOWN BY AMENDING APPENDIX A – ZONING THEREOF, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, BY AMENDING ARTICLE XIV (I-3 INDUSTRIAL DISTRICT REGULATIONS), SECTION 1 (USE REGULATIONS) THEREOF BY ADDING TO THE LIST OF ALLOWED USES AN AIRPORT, AND BY AMENDING ARTICLE XXX (DEFINITIONS) PROVIDING THEREIN A DEFINITION OF AIRPORT; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the comprehensive Zoning Ordinance (the “Zoning Ordinance”) of the Town of Addison, Texas (the “City”), was adopted and made effective on October 13, 1964 pursuant to Ordinance No. 66 of the City, and with the subsequent codification of the ordinances of the City was thereafter included as (and is currently found in) Appendix A – Zoning to the City’s Code of Ordinances (the “Code”); and

**WHEREAS**, the City Council is authorized, pursuant to Chapter 211, Tex. Loc. Gov. Code, as amended, and Article XXIX of the Zoning Ordinance, to amend, supplement, or change by ordinance the regulations of the Zoning Ordinance; and

**WHEREAS**, the City Planning and Zoning Commission and the City Council, in accordance with State law and the ordinances of the City, have given the required notices and have held the required public hearings regarding amending the Zoning Ordinance as set forth herein and as hereinafter described; and

**WHEREAS**, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at the said public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City recommended to the City Council the amendment to the Zoning Ordinance as set forth in this Ordinance; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing conducted by the City Council and all other relevant information and materials received by the City Council, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City and of the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas is hereby amended by amending Appendix A – Zoning, the same being the City’s comprehensive Zoning Ordinance, in part as follows (additions are underlined; deletions are ~~struck through~~;

A. Article XIV, I-3 Industrial District Regulations, of the said Appendix A – Zoning is amended by amending Section 1 (Use regulations) thereof to read as follows:

**Section 1. Use regulations.**

In an I-3 district, no land shall be used and no building shall be erected for or converted to any use other than:

1. a use permitted in the I-2 district; and
2. an airport.

B. Article XXX, Definitions, of the said Appendix A – Zoning is amended by amending Section 1 (Terms defined) thereof by adding a new subsection 2.1 to read as follows:

2.1 Airport means (a) an area used or intended for use for the landing and takeoff of aircraft and other aviation uses, (b) an appurtenant area used or intended for use for an airport building or other airport facility or right-of-way, including a building or facility for the shelter, supply, repair, and maintenance of aircraft and related purposes, (c) an airport building or facility located on an appurtenant area, (d) facilities for the fueling of aircraft, and (e) buildings for office use, and (f) related uses and buildings and other uses and buildings incidental to any of the foregoing.

Section 3. Purpose. The amendment to zoning herein made has been made in accordance with the comprehensive plan of the City for the purpose of promoting the health, safety and welfare of the community, and with consideration of the reasonable suitability for the particular use and with a view of conserving the value of the buildings and encouraging the most appropriate use of land within the community.

Section 4. No Other Amendment; Savings. Except for the amendment and change made herein, Appendix A - Zoning of the City’s Code of Ordinances is not otherwise amended hereby, and all other provisions thereof shall remain in full force and effect. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

Section 5. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 6. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid, void, unlawful or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, voidness, unlawfulness or unconstitutionality, which remaining portions shall remain in full force and effect.

Section 7. Effective date. This Ordinance shall become effective from and after its passage and approval and after publication as provided by law.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas this 27<sup>th</sup> day of January, 2015.

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Todd Meier, Mayor

ATTEST:

---

Chelsea Gonzalez, City Secretary

CASE NO: 1709-Z/Town of Addison

APPROVED AS TO FORM:

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Brenda N. McDonald, City Attorney

PUBLISHED ON: \_\_\_\_\_

**AI-1040**

**R2k**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Infrastructure improvement and maintenance

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**AGENDA CAPTION:**

Approval of resolution approving an agreement with Garver LLC for Airport on-call engineering services for an amount not to exceed \$100,000.

**BACKGROUND:**

Through a selection process administered through TxDOT Aviation Division, Garver LLC was selected to provide engineering design services for all grant funded projects. From time-to-time, however, there is a need for engineering services that are not grant funded. Garver has provided outstanding engineering service to the airport and staff recommends that the Town use them for these on-call services as well.

Under the terms of the agreement that has been reviewed and approved by both Garver and the City Attorney. Garver will provide engineering services on a work order basis, the scope and cost of which will be agreed upon in advance of the work being performed. The terms of the on-call services agreement will be incorporated in each work order.

**RECOMMENDATION:**

Administration recommends approval.

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**Fiscal Impact**

**Budgeted Yes/No:** Yes

**Funding Source:** Airport Fund

**Amount:** \$100,000

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**Attachments**

Resolution

Sample Task Order

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**TOWN OF ADDISON, TEXAS**

**RESOLUTION NO. R15-010**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS APPROVING A MASTER AGREEMENT FOR PROFESSIONAL SERVICES WITH GARVER, LLC IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR THE 2015 FISCAL YEAR, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**Section 1.** The Master Agreement for Professional Services between the Town of Addison, Texas and Garver, LLC, attached hereto as **Exhibit A**, is hereby approved in an amount not to exceed \$100,000.00 for the 2015 fiscal year. The City Manager is hereby authorized to execute the agreement and utilize the services contemplated therein by approving work orders under the agreement.

**Section 2.** This Resolution shall take effect from and after its date of adoption.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas this the 28th day of April, 2015.

\_\_\_\_\_  
Todd Meier, Mayor

ATTEST:

By:\_\_\_\_\_  
Chelsea Gonzalez, City Secretary

APPROVED AS TO FORM:

By:\_\_\_\_\_  
Brenda N. McDonald, City Attorney

## **EXHIBIT A**



**AGREEMENT FOR PROFESSIONAL SERVICES  
Addison Airport  
Addison, Texas  
Project No. 14081104**

THIS AGREEMENT FOR PROFESSIONAL SERVICES is made by and between **Addison Airport of Addison, Texas** hereinafter referred to as "Owner," and **GARVER, LLC**, hereinafter referred to as "GARVER".

The Owner intends to make the following improvements:

Professional engineering and planning services related to Addison Airport.

GARVER will provide professional services related to these improvements as described herein.

The Owner and GARVER in consideration of the mutual covenants in this contract agree in respect of the performance of professional services by GARVER and the payment for those services by the Owner as set forth below. Execution of the agreement by GARVER and the Owner constitutes the Owner's written authorization to GARVER to proceed on the date last written below with the services described herein. This agreement supersedes all prior written or oral understandings associated with services to be rendered, including any teaming agreements.

### **SECTION 1 - EMPLOYMENT OF GARVER**

The Owner agrees to engage GARVER, and GARVER agrees to perform professional services in connection with the proposed improvements as stated in the sections to follow. These services will conform to the requirements and standards of the Owner and conform to the standards of practice ordinarily used by members of GARVER's profession practicing under similar conditions. For having rendered such services, the Owner agrees to pay GARVER compensation as stated in the sections to follow.

### **SECTION 2 - SCOPE OF SERVICES**

We understand our scope of services will be determined on an as needed basis and include performing professional services when requested in writing by the Owner and agreed to by GARVER. More specifically, we propose to accomplish, but not limited to, the following tasks:

1. Capital Improvement Program (CIP) development and associated documents.
2. Perform field surveys to collect horizontal and vertical elevations and other information needed in design and preparation of plans for projects.
3. Perform geotechnical services for projects.
4. Perform pavement designs utilizing FAA pavement design software FAARFIELD.
5. Perform airport development planning.
6. Review airport development documents prepared by others.
7. Attend stakeholder meetings.
8. Prepare and submit FAA Form 7460-1 for proposed on-airport construction projects
9. Prepare and submit SWPPP documents for projects.
10. Perform design services to assemble plans, specifications, and front end bid documents for projects agreed upon by the Owner and GARVER.

Agreement for Professional Services  
ADS On-Call Services

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Garver Project No. 14081104

## **EXHIBIT A**



11. Provide construction and closeout phase services.

### **SECTION 3 - PAYMENT**

For the work described under SECTION 2 - SCOPE OF SERVICES, the Owner will pay GARVER on an hourly rate basis. The Owner represents that funding sources are in place with the available funds necessary to pay GARVER.

If any payment due GARVER under this agreement is not received within 60 days from date of invoice, GARVER may elect to suspend services under this agreement without penalty or liquidated damages assessed from the Owner.

The Owner will pay GARVER, for time spent on the project, at the rates shown in Appendix A for each classification of GARVER's personnel (may include contract staff classified at GARVER's discretion) plus reimbursable expenses including but not limited to printing, courier service, reproduction, and travel. For informational purposes, a breakdown of GARVER's current hourly rates for each employee classification is included in Appendix A. The rates shown in Appendix A will be increased annually with the first increase effective on or about June 1, 2015.

Expenses other than salary costs that are directly attributable to performance of our professional services will be billed as follows:

1. Direct cost for travel, long distance and wireless communications, outside reproduction and presentation material preparation, and mail/courier expenses.
2. Direct cost plus 15 percent for subcontract/subconsultant fees.
3. Charges similar to commercial rates for reports, plan sheets, presentation materials, etc.
4. \$50 per month for each month computer design/modeling software is utilized.
5. The amount allowed by the federal government for mileage with an additional \$0.05 for survey trucks/vans.

The Owner will pay GARVER on a monthly basis, based upon statements submitted by GARVER to the Owner for the scope of services described in this agreement. Payments not received within 60 days of invoice date will be subject to a one percent monthly simple interest charge.

As directed by the Owner, some billable work may have been performed by GARVER prior to execution of this agreement. Payment for this work will be made in accordance with the fee arrangement established herein, as approved by the Owner.

Additional Services (Extra Work). For work not described or included in Section 2 – Scope of Services but requested by the Owner in writing, the Owner will pay GARVER, for time spent on the project, at the rates shown in Appendix A for each classification of GARVER's personnel (may include contract staff classified at GARVER's discretion) plus reimbursable expenses including but not limited to printing, courier service, reproduction, and travel. The rates shown in Appendix A will be increased annually with the first increase effective on or about June 1, 2015.

### **SECTION 4 - OWNER'S RESPONSIBILITIES**

In connection with the project, the Owner's responsibilities shall include, but not be limited to, the following:

Agreement for Professional Services  
ADS On-Call Services

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Garver Project No. 14081104



## **EXHIBIT A**



1. Giving thorough consideration to all documents presented by GARVER and informing GARVER of all decisions within a reasonable time so as not to delay the work of GARVER.
2. Making provision for the employees of GARVER to enter public and private lands as required for GARVER to perform necessary preliminary surveys and other investigations.
3. Obtaining the necessary lands, easements and right-of-way for the construction of the work. All costs associated with securing the necessary land interests, including property acquisition and/or easement document preparation, surveys, appraisals, and abstract work, shall be borne by the Owner outside of this contract, except as otherwise described in Section 2 – Scope of Services.
4. Furnishing GARVER such plans and records of construction and operation of existing facilities, available aerial photography, reports, surveys, or copies of the same, related to or bearing on the proposed work as may be in the possession of the Owner. Such documents or data will be returned upon completion of the work or at the request of the Owner.
5. Furnishing GARVER a current boundary survey with easements of record plotted for the project property.
6. Paying all plan review and advertising costs in connection with the project.
7. Providing legal, accounting, and insurance counseling services necessary for the project and such auditing services as the Owner may require.
8. Furnishing permits, permit fees, and approvals from all governmental authorities having jurisdiction over the project and others as may be necessary for completion of the project.
9. Giving prompt written notice to GARVER whenever the Owner observes or otherwise becomes aware of any defect in the project or other events which may substantially alter GARVER's performance under this Agreement.
10. Owner will not hire any of GARVER's employees during performance of this contract and for a period of one year beyond completion of this contract.
11. Furnishing GARVER a current geotechnical report for the proposed site of construction. GARVER will coordinate with the geotechnical consultant, the Owner has contracted with, on the Owner's behalf for the information that is needed for this project.

### **SECTION 5 – MISCELLANEOUS**

#### **5.1 Instruments of Service**

GARVER's instruments of service provided by this agreement consist of the printed hard copy reports, drawings, and specifications issued for the Assignment or Project; whereas electronic media, including CADD files, are tools for their preparation. As a convenience to the Owner, GARVER will furnish to the Owner both printed hard copies and electronic media. In the event of a conflict in their content, however, the printed hard copies shall take precedence over the electronic media.

GARVER's electronic media are furnished without guarantee of compatibility with the Owner's software or hardware, and GARVER's sole responsibility for the electronic media is to furnish a



## **EXHIBIT A**



replacement for defective disks within thirty (30) days after delivery to the Owner.

GARVER retains ownership of the printed hard copy drawings and specifications and the electronic media. The Owner is granted a license for their use, but only in the operation and maintenance of the Project or Assignment for which they were provided. Use of these materials for modification, extension, or expansion of this Project or on any other project, unless under the direction of GARVER, shall be without liability to GARVER and GARVER's consultants. The Owner shall indemnify, defend, save harmless GARVER, GARVER's consultants, and the officers and employees of any of them from and against any and all claims, liabilities, damages, losses, and costs, including but not limited to costs of defense, arising out of the Owner's use of these materials for modification, extension, or expansion of this Project or on any other project not under the direction of GARVER.

Because data stored in electronic media form can be altered, either intentionally or unintentionally, by transcription, machine error, environmental factors, or by operators, it is agreed that the Owner shall indemnify, defend, save harmless GARVER, GARVER's consultants, and the officers and employees of any of them from and against any and all claims, liabilities, damages, losses, and costs, including but not limited to costs of defense, arising out of changes or modifications to the data in electronic media form in the Owner's possession or released to others by the Owner and for any use of the electronic media and printed hard copy drawings and specifications outside the license granted by this provision.

### **5.2 Opinions of Cost**

Since GARVER has no control over the cost of labor, materials, equipment, or services furnished by others, or over the Contractor(s)' methods of determining prices, or over competitive bidding or market conditions, GARVER's Estimates of Project Costs and Construction Costs provided for herein are to be made on the basis of GARVER's experience and qualifications and represent GARVER's best judgment as an experienced and qualified professional engineer, familiar with the construction industry; but GARVER cannot and does not guarantee that proposals, bids or actual Total Project or Construction Costs will not vary from estimates prepared by GARVER.

The Owner understands that the construction cost estimates developed by GARVER do not establish a limit for the construction contract amount. If the actual amount of the low construction bid exceeds the construction budget established by the Owner, GARVER will not be required to re-design the project without additional compensation.

**5.3 Underground Utilities** GARVER will not provide research regarding utilities and survey utilities located and marked by their owners as provided for in this agreement. Additionally, since many utility companies typically will not locate and mark their underground facilities prior to notice of excavation, GARVER is not responsible for knowing whether underground utilities are present or knowing the exact location of utilities for design and cost estimating purposes. Additionally, GARVER is not responsible for damage to underground utilities, unmarked or improperly marked, caused by geotechnical, potholing, construction, or other subconsultants working under a subcontract to this agreement.

## **EXHIBIT A**



### **5.4 Insurance**

GARVER currently has in force, and agrees to maintain in force for the life of this Contract, the following minimum schedule of insurance:

Worker's Compensation	Statutory Limit
Automobile Liability (Combined Property Damage and Bodily Injury)	\$500,000.00
General Liability (Combined Property Damage and Bodily Injury)	\$1,000,000.00
Professional Liability	\$2,000,000.00

### **5.5 Records**

GARVER will retain all pertinent records for a period of two years beyond completion of the project. Owner may have access to such records during normal business hours.

### **5.6 Indemnity Provision**

Subject to the limitation on liability set forth in Section 5.8, GARVER agrees to indemnify the Owner for damages, liabilities, or costs (including reasonable attorneys' fees) to the extent the damages and costs are caused by the negligent acts, errors, or omissions of GARVER, its subconsultants, or any other party for whom GARVER is legally liable, in the performance of their professional services under this contract.

The Owner agrees to indemnify GARVER for damages, liabilities, or costs (including reasonable attorneys' fees) to the extent the damages and costs are caused by the negligent acts, errors, or omissions of the Owner, its agents, or any other party for whom the Owner is legally liable, in the performance of their professional services under this contract.

In the event claims, losses, damages, or expenses are caused by the joint or concurrent negligence of GARVER and the Owner, they shall be borne by each party in proportion to its own negligence.

Owner agrees that any claim or suit for damages made or filed against GARVER by Owner will be made or filed solely against GARVER or its successors or assigns and that no member or employee of GARVER shall be personally liable to Owner for damages under any circumstances.

### **5.7 Design without Construction Phase Services**

In the event GARVER's Scope of Services under this agreement is not amended to include project observation or review of the Contractor's performance or any other construction phase services, the Owner assumes all responsibility for interpretation of the Construction Contract Documents and for construction observation and supervision and waives any claims against GARVER that may be in any way connected thereto.

## **EXHIBIT A**



In addition, the Owner agrees, to the fullest extent permitted by law, to indemnify and hold GARVER harmless from any loss, claim or cost, including reasonable attorneys' fees and costs of defense, arising or resulting from the performance of such services by other persons or entities and from any and all claims arising from modifications, clarifications, interpretations, adjustments or changes made to the Construction Contract Documents to reflect changed field or other conditions, except for claims arising from the sole negligence or willful misconduct of GARVER.

If the Owner requests in writing that GARVER provide any specific construction phase services and if GARVER agrees in writing to provide such services, then they shall be compensated for the work as Additional Services.

### **5.8 Limitation of Liability**

In recognition of the relative risks and benefits of the project to both the Owner and GARVER, the risks have been allocated such that the Owner agrees, to the fullest extent permitted by law, to limit the liability of GARVER and its subconsultants to the Owner and to all construction contractors and subcontractors on the project for any and all claims, losses, costs, damages of any nature whatsoever or claims for expenses from any cause or causes, so that the total aggregate liability of GARVER and its subconsultants to all those named shall not exceed GARVER's total fee for services rendered on that particular project. Such claims and causes include, but are not limited to negligence, professional errors or omissions, strict liability, breach of contractor warranty, and indemnity obligations.

Notwithstanding any other provision to the contrary in this Agreement or a Work Authorization and to the fullest extent permitted by law, neither Owner nor Garver shall be liable, whether based on contract, tort, negligence, strict liability, warranty, indemnity, error and omission, or any other cause whatsoever, for any consequential, special, incidental, indirect, punitive, or exemplary damages, or damages arising from or in connection with loss of power, loss of use, loss of revenue or profit (actual or anticipated), loss by reason of shutdown or non-operation, increased cost of construction, cost of capital, cost of replacement power or customer claims, and Owner hereby releases Garver, and Garver releases Owner, from any such liability.

#### **5.8.1 Hazardous Materials**

Nothing in this agreement shall be construed or interpreted as requiring GARVER to assume any role in the identification, evaluation, treatment, storage, disposal, or transportation of any hazardous substance or waste. Notwithstanding any other provision to the contrary in this Agreement or a Work Authorization and to the fullest extent permitted by law, Owner shall indemnify, defend and save GARVER and its affiliates, subconsultants, agents, suppliers, and any and all employees, officers, directors of any of the foregoing, if any, from and against any and all losses which arise out of the performance of the Services and relating to the regulation and/or protection of the environment, including, without limitation, losses incurred in connection with characterization, handling, transportation, storage, removal, remediation, disturbance, or disposal of hazardous material, whether above or below ground.

### **5.9 Mediation**

In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the Owner and GARVER agree that all disputes between them arising out of or relating to this Agreement shall be submitted to non-binding mediation unless the parties mutually agree otherwise.



## **EXHIBIT A**



The Owner and GARVER further agree to include a similar mediation provision in all agreements with independent contractors and consultants retained for the project and to require all independent contractors and consultants also to include a similar mediation provision in all agreements with subcontractors, subconsultants, suppliers or fabricators so retained, thereby providing for mediation as the primary method for dispute resolution between the parties to those agreements.

### **SECTION 6 - CONTROL OF SERVICES**

This is a Texas Contract and in the event of a dispute concerning a question of fact in connection with the provisions of this contract which cannot be disposed of by mutual agreement between the Owner and GARVER, the matter shall be resolved in accordance with the Laws of the State of Texas.

This Agreement may be terminated by either party by seven (7) days written notice in the event of substantial failure to perform in accordance with the terms hereof by the one (1) party through no fault to the other party or for the convenience of the Owner upon delivery of written notice to GARVER. If this Agreement is so terminated, GARVER shall be paid for the time and materials expended to accomplish the services performed to date, as provided in SECTION 3 - PAYMENT; however, GARVER may be required to furnish an accounting of all costs.

### **SECTION 7 - SUCCESSORS AND ASSIGNS**

The Owner and GARVER each bind themselves and their successors, executors, administrators, and assigns of such other party, in respect to all covenants of this Agreement; neither the Owner nor GARVER shall assign, sublet, or transfer their interest in this agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body which may be a party hereto.

### **SECTION 8 – APPENDICES AND EXHIBITS**

- 8.1 The following Appendices and/or Exhibits are attached to and made a part of this Agreement:  
8.1.1 Appendix A – Garver Rate Schedule

This Agreement may be executed in two (2) or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

## EXHIBIT A



IN WITNESS WHEREOF, Owner and GARVER have executed this Agreement effective as of the date last written below.

ADDISON AIRPORT

GARVER, LLC

By: \_\_\_\_\_  
*Signature*

By: *[Signature]*  
*Signature*

Name: \_\_\_\_\_  
*Printed Name*

Name: FRANK McILWAIN  
*Printed Name*

Title: \_\_\_\_\_

Title: VICE PRESIDENT

Date: \_\_\_\_\_

Date: JULY 2, 2014

Attest: \_\_\_\_\_

Attest: *[Signature]*

Agreement for Professional Services  
ADS On-Call Services

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Garver Project No. 14081104

# EXHIBIT A



## APPENDIX A ADS On-Call Garver Hourly Rate Schedule - June, 2014

Classification	Rates
<b>Engineers / Architects</b>	
E-1.....	\$ 102.00
E-2.....	\$ 122.00
E-3.....	\$ 143.00
E-4.....	\$ 170.00
E-5.....	\$ 210.00
E-6.....	\$ 260.00
M-1.....	\$ 318.00
<b>Planners / Environmental Specialist</b>	
P-1.....	\$ 125.00
P-2.....	\$ 149.00
<b>Designers</b>	
D-1.....	\$ 93.00
D-2.....	\$ 105.00
D-3.....	\$ 125.00
D-4.....	\$ 147.00
<b>Technicians</b>	
T-1.....	\$ 79.00
T-2.....	\$ 108.00
T-3.....	\$ 117.00
<b>Surveyors</b>	
S-1.....	\$ 49.00
S-2.....	\$ 58.00
S-3.....	\$ 81.00
S-4.....	\$ 112.00
S-5.....	\$ 149.00
S-6.....	\$ 173.00
2-Man Crew (Survey).....	\$ 189.00
3-Man Crew (Survey).....	\$ 231.00
2-Man Crew (GPS Survey).....	\$ 224.00
3-Man Crew (GPS Survey).....	\$ 265.00
<b>Construction Observation</b>	
C-1.....	\$ 87.00
C-2.....	\$ 110.00
C-3.....	\$ 134.00
C-4.....	\$ 173.00
<b>Management/Administration</b>	
M-1.....	\$ 318.00
X-1.....	\$ 59.00
X-2.....	\$ 76.00
X-3.....	\$ 122.00
X-4.....	\$ 144.00

Agreement for Professional Services  
ADS On-Call Services

Garver Project No. 14081104



**WORK ORDER NO. [?]**  
**Town of Addison**  
**Town of Addison, Texas**  
**Project No. 14081104**

This WORK ORDER is made by and between the **Town of Addison, Texas** hereinafter referred to as "Client," and **GARVER, LLC**, hereinafter referred to as "GARVER", in accordance with the provisions of the MASTER AGREEMENT FOR PROFESSIONAL SERVICES executed on [?/?/?/?/?/?].

Under this Work Order, the Client intends to make the following improvements for **[Insert Project Title]**:

**[Insert text here.]**

GARVER will provide professional services related to these improvements as described herein.

**SECTION 1 - SCOPE OF SERVICES**

**[Insert text here.]**

**SECTION 2 – PAYMENT**

For the work described under SECTION 1 - SCOPE OF SERVICES, the Client will pay GARVER on an hourly rate basis. The Client represents that funding sources are in place with the available funds necessary to pay GARVER.

The table below presents a summary of the fee amounts and fee types for this contract.

WORK DESCRIPTION	FEE AMOUNT	FEE TYPE
Preliminary Work/Study		HOURLY RATE
Surveys		HOURLY RATE
Preliminary Design		HOURLY RATE
Final Design		HOURLY RATE
Bidding Services		HOURLY RATE
Construction Phase Services		HOURLY RATE
Services After Construction – Warranty Follow-Up; Start-Up; etc.		HOURLY RATE
Etc.		
TOTAL FEE		

The Client will pay GARVER, for time spent on the project, at the rates established in the Master Services Agreement for each classification of GARVER's personnel (may include contract staff classified at GARVER's discretion) plus reimbursable expenses including but not limited to printing, courier service, reproduction, and travel. The total amount paid to GARVER under this work order is estimated to be **[Insert Fee]**. The actual total fee may exceed this estimate.



Expenses other than salary costs that are directly attributable to performance of our professional services will be billed as follows:

1. Actual direct cost for travel, long distance and wireless communications, outside reproduction and presentation material preparation, and mail/courier expenses (however, no travel outside of Dallas County, Texas shall be eligible for payment or reimbursement unless GARVER has, prior to any such travel, submitted to Client the costs and received the Client's written consent for the same).
2. Actual direct cost plus 10 percent for subcontract/subconsultant fees.
3. Commercial rates or similar in-house production for reports, plan sheets, presentation materials, etc.
4. \$100 per month for each month computer design/modeling software is utilized.
5. The amount allowed by the federal government for mileage with an additional \$0.05 for survey trucks/vans.
6. \$20 per hour for GPS survey equipment use.
7. \$20 per day for traffic counter equipment use.

The Client will pay GARVER on a monthly basis, based upon statements submitted by GARVER to the Client for the scope of services described in this work order. Payments not received within 60 days of invoice date will be subject to a one percent monthly simple interest charge.

### SECTION 3 – APPENDICES AND EXHIBITS

- 3.1 The following Appendices and/or Exhibits are attached to and made a part of this Agreement:
  - 3.1.1 Appendix A - Project Location Map
- 3.2 The Master agreement For Professional Services between the Client and Garver, executed on \_\_\_\_\_ is incorporated as if fully set forth herein and the parties affirm and restate the provisions contained therein.

This Agreement may be executed in two (2) or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.





Approval and acceptance of this Work Order, including attachments listed in SECTION 3 – APPENDICES AND EXHIBITS, shall incorporate this document as part of the Agreement. Garver is authorized to begin performance upon receipt of a copy of this Work Order signed by the Client. The effective date of this Work Order shall be the last date written below.

TOWN OF ADDISON, TEXAS

GARVER, LLC

By: \_\_\_\_\_  
*Signature*

By: \_\_\_\_\_  
*Signature*

Name: \_\_\_\_\_  
*Printed Name*

Name: \_\_\_\_\_  
*Printed Name*

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Attest: \_\_\_\_\_

**AI-1098**

**R2I**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Infrastructure improvement and maintenance  
Implement bond propositions

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**AGENDA CAPTION:**

Approval of the rejection of all bids for the Winnwood Pond Dredging Project.

**BACKGROUND:**

One of the projects identified in the development of the Storm Water Management Fee Ordinance was the dredging of Winnwood Pond. After an initial study of the creek and pond, it was determined that a significant amount of silt is present in the pond areas. The project request for bids was posted on February 27, 2015 and a pre-bid conference was held on March 10, 2015 that was followed by a site visit. Four firms attended the pre-bid conference. The bidding period was closed and bids were opened on March 19, 2015. Only one bid was received, which was substantially over the estimated cost of the project. Because of this, staff recommends that the bid be rejected and the project be rebid.

**RECOMMENDATION:**

Administration recommends approval.

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**AI-1073**

**R3**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** City Manager

**Council Goals:** Create raving fans of the Addison Experience.

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**AGENDA CAPTION:**

Presentation and proclamation recognizing Foot Health Month.

**BACKGROUND:**

N/A

**RECOMMENDATION:**

N/A

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**Attachments**

Proclamation

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# Proclamation

*be it proclaimed by the Mayor*

## Town of Addison

**WHEREAS**, there is an essential relationship between foot health and personal well-being; and

**WHEREAS**, there is a growing demand for foot care services in the community; and

**WHEREAS**, it has been demonstrated that the detection and control of foot disorders increase industrial efficiency; and

**WHEREAS**, regular foot care enables older persons to participate actively in their lives and in the community; and

**WHEREAS**, the podiatrist, as the guardian of the nation's foot health, is actively participating in public and private programs of disease prevention; and

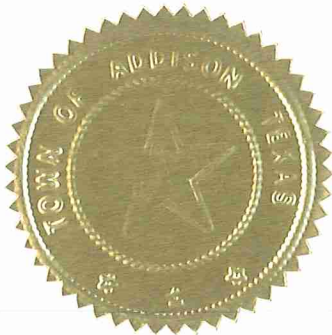
**WHEREAS**, we urge all our citizens to participate by observing the rules of good foot health; and

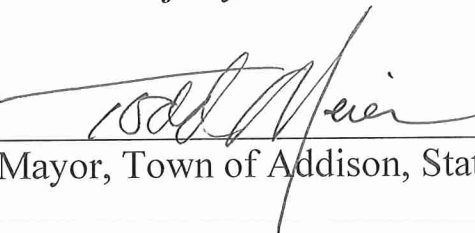
**WHEREAS**, by adopting daily habits of good foot care and scheduling regular foot examinations, all of us can improve our total health.

**Now therefore I, Todd Meier**, Mayor of the Town of Addison and on behalf of the City Council, do hereby recognize April 2015 as

**Foot Health Month**

*Dutifully executed this April 2015*



  
\_\_\_\_\_  
Mayor, Town of Addison, State of Texas

**AI-1074**

**R4**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** City Manager

**Council Goals:** Create raving fans of the Addison Experience.

---

**AGENDA CAPTION:**

Presentation and proclamation recognizing Motorcycle Safety & Awareness Month.

**BACKGROUND:**

N/A

**RECOMMENDATION:**

N/A

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**Attachments**

Proclamation

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# Proclamation

*be it proclaimed by the Mayor*

## Town of Addison

**WHEREAS**, today's society is finding more citizens involved in motorcycling on the roads of our country; and

**WHEREAS**, motorcyclists are roughly unprotected and therefore more prone to injury or death in a crash than other vehicle drivers; and

**WHEREAS**, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and, most of all, fatalities, through a comprehensive approach to motorcycle safety; and

**WHEREAS**, it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and

**WHEREAS**, it is the responsibility of riders and motorists alike to obey all traffic laws and safety rules; and

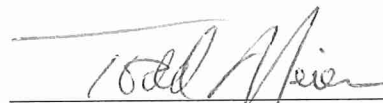
**WHEREAS**, urging all citizens of our community to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to give each other the mutual respect they deserve; *and*

**WHEREAS**, we urge all residents to do their part to increase safety and awareness in our community.

**NOW THEREFORE**, I, Todd Meier, Mayor of the Town of Addison, and on behalf of the Addison City Council, do hereby proclaim May 2015, as

### Motorcycle Safety & Awareness Month

Dutifully executed this day, May 1, 2015

  
\_\_\_\_\_  
Mayor, Town of Addison, State of Texas



**AI-1076**

**R5**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Council

**Council Goals:** Enhance sense of community for all stakeholders/Expand Volunteer Opportunities

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**AGENDA CAPTION:**

**Public Hearing.** Public hearing regarding the Town of Addison's recognition and naming policy for town parks, trails, or facilities.

**BACKGROUND:**

During the April 14 Work Session Council reviewed the current policy adopted in September 2007. Council discussed possible changes to the current policy and considered a how parks, structures and trails could be named. Council also discussed a mechanism to recognize those who contributed to Addison through volunteer hours, long terms of employment and through donations. No action was taken.

**RECOMMENDATION:**

N/A

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**AI-1078**

**R6**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** City Manager

**Council Goals:** Continue to attract, hire, develop, and retain great employees

---

**AGENDA CAPTION:**

Present, discuss, consider and take action regarding the search for city manager.

**BACKGROUND:**

The City Council will discuss any updates regarding the search for the city manager including presentations made by S. Renée Narloch & Associates and Waters & Company Executive Recruitment.

**RECOMMENDATION:**

N/A

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**AI-1079**

**R7**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Council

**Council Goals:** Enhance sense of community for all stakeholders/Expand Volunteer Opportunities

---

**AGENDA CAPTION:**

Discuss, consider and take action regarding a public comment section on the City Council agenda.

**BACKGROUND:**

This item is to discuss the inclusion of a public comment section in the City Council's agenda.

In our current process, any citizen is able to address the Council by requesting the item through the 1) Mayor, 2) a Council Member, 3) or City Manager. The item is submitted through the regular agenda process in order to give the public adequate notice of the item.

**RECOMMENDATION:**

N/A

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**AI-1072**

**R8**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Police

**Council Goals:** Enhance Public Safety

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**AGENDA CAPTION:**

Presentation and discussion of the 2014 Police Department Annual Report.

**BACKGROUND:**

Staff will provide a briefing on the 2014 Police Annual Report.

**RECOMMENDATION:**

N/A

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**Attachments**

2014 Annual Report

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# ADDISON POLICE DEPARTMENT 2014 ANNUAL REPORT



# MISSION STATEMENT

The Addison Police Department is dedicated to a standard of excellence in promoting and maintaining a safe and peaceful community. We serve in a community partnership to preserve order, protect life and property, enforce laws and ordinances, and safeguard individual liberties. We conduct ourselves according to the highest ethical standards and treat others with fairness, dignity, and respect. We pledge to manage our organization with professionalism, leadership, and integrity.

# PREFACE

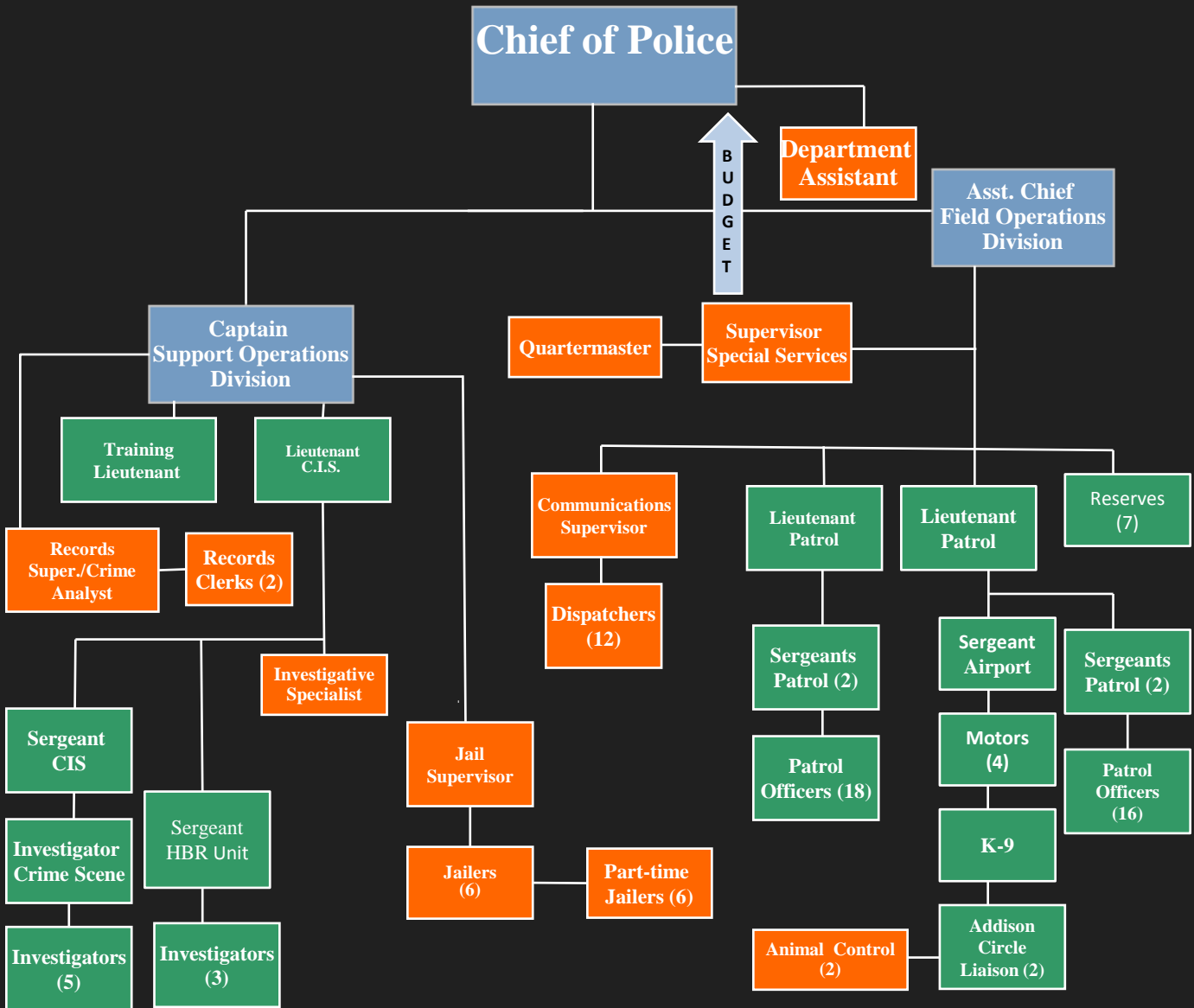
Normally the Paramedic/Fire Fighter branch of the public safety family are credited with saving lives. However, this past year three officers were recognized for their quick thinking and actions that resulted in saving or prolonging the lives of three people. These three officers were awarded the Life Saving bar for “the saving of a human life”, or the “prolonging of a human life to the extent of the victim being released to the care of medical personnel”.

Officer Jeff Sharp was not in uniform when he saved a life. He was on his day off and having dinner with his family when he noticed a commotion at a nearby table. Officer Sharp quickly recognized that the restaurant patron was choking on their food. Without hesitation, Officer Sharp checked the patron, and noticed that their airway was completely blocked. Officer Sharp quickly performed the Heimlich Maneuver and successfully dislodged the piece of food that had caused the blockage. For his quick thinking and unerring dedication to public safety and the lives of those around him, Officer Sharp was awarded the Life Saving Bar.

Sergeant Kirk McFarland was on patrol when a traffic accident happened nearby. He was the first one on the scene and found the driver of the vehicle bleeding from an arterial cut. Sergeant McFarland knew that the driver only had minutes before dying from blood loss and he knew that there was not enough time to wait for the ambulance. Just a few days prior to the accident Sergeant McFarland received advanced first aid training and was issued a small medic kit. Inside this kit was a tourniquet which he quickly retrieved and thus saved the driver's life. For his quick response to an emergency situation which led to the saving of a person's life, Sergeant McFarland was awarded the Life Saving Bar.

Officer Kyle Coffelt responded to an emergency call about a person who had tried to dive head first into a shallow pond. Officer Coffelt was the first one on scene and without hesitation he waded into the pond and began administering first aid to the unconscious, bleeding victim. Officer Coffelt knew through his experience and training that when someone has a head injury it is important to maintain the cervical spine – to keep the victim's neck stabilized. Officer Coffelt stayed with the victim until the paramedics arrived. Unfortunately, the victim did not survive his injuries, but Officer Coffelt was recognized for his quick actions and for prolonging the victim's life and so was awarded the Life Saving Bar.

# Addison Police Department Organizational Chart December 1, 2014



Full Time Sworn Officers: 64  
Full Time Civilian Employees: 29  
Part Time Civilian Employees: 6  
Reserve Officers: 7

# UCR - Crime Index Offenses

## 2014 Major Crime

### Part 1 Crimes:

The Uniform Crime Reporting, or UCR, program was started by the FBI in an effort to develop a uniform system of reporting police crime statistics across the nation based on population. Part 1 Crimes are classified by specific guidelines breaking down major crimes into seven categories; murder, rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft. These seven major crimes provide a standardized reporting system for the crime rates throughout the United States.

	Offenses Reported	Offenses Cleared
MURDER	0	0
RAPE	7	5
ROBBERY	15	4
AGGRAVATED ASSAULT	44	32
BURGLARY	83	3
LARCENY-THEFT	541	59
MOTOR VEHICLE THEFT	62	5
TOTAL	752	106

### Crime Index Definitions

#### **Murder**

The willful (non-negligent) killing of one human being by another.

#### **Rape**

The carnal knowledge of a person through the use or threat of force. Assaults to commit forcible sexual assaults are also included.

#### **Robbery**

The taking or attempting to take, anything of value under confrontational circumstances from a person by use of force, threat of force, or by putting the victim in fear of immediate harm.

#### **Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe bodily injury, usually accompanied by the use of a weapon or other means likely to produce death or serious bodily harm.

#### **Burglary**

The unlawful entry to commit a felony or theft.

#### **Theft**

The unlawful taking or stealing of property or articles without the use of force, violence, or fraud.

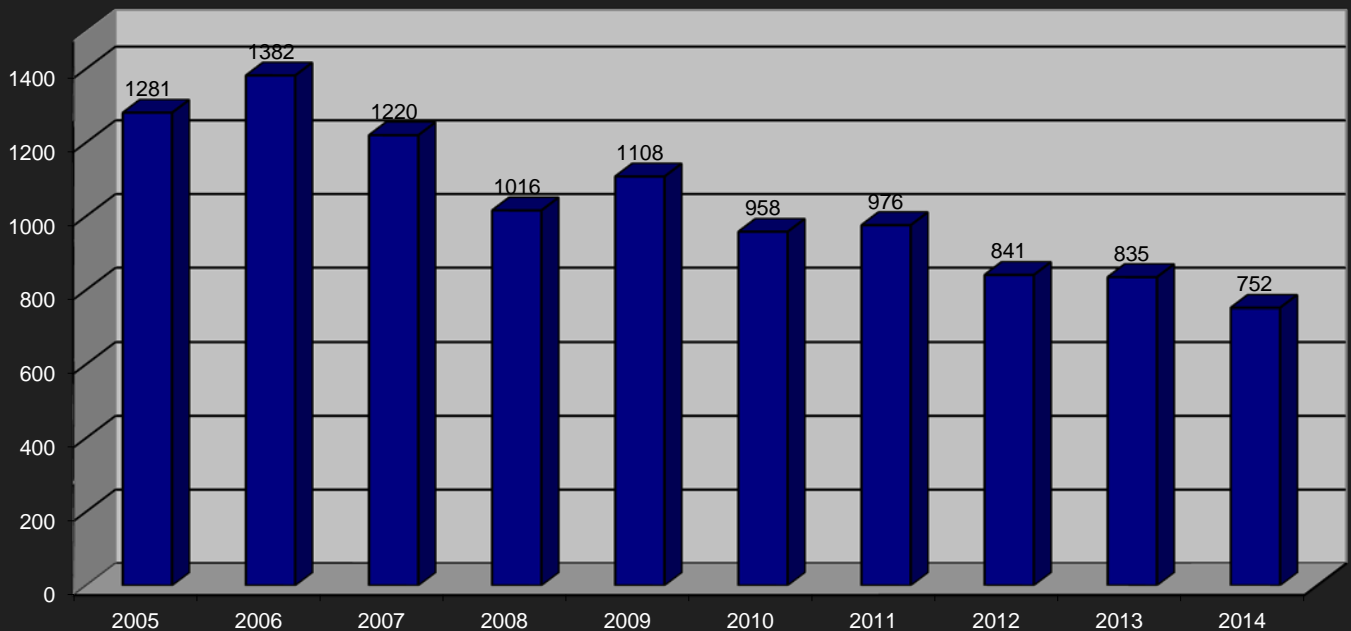
#### **Motor Vehicle Theft (U.U.M.V)**

The unlawful taking or stealing of a motor vehicle including attempts.

# ADDISON'S UCR HISTORY

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
MURDER	0	3	0	1	1	1	0	0	1	0
RAPE	11	5	9	7	7	7	10	5	4	7
ROBBERY	24	36	32	29	35	19	18	16	11	15
AGG ASSAULT	60	58	87	54	46	69	50	51	35	44
BURGLARY	161	190	185	142	142	105	117	84	129	83
LARCENY	828	955	798	704	742	651	676	613	593	541
AUTO THEFT	197	135	109	79	135	106	105	72	62	62
<b>TOTAL</b>	<b>1281</b>	<b>1382</b>	<b>1220</b>	<b>1016</b>	<b>1108</b>	<b>958</b>	<b>976</b>	<b>841</b>	<b>835</b>	<b>752</b>

## TOTAL





# Addison Police Community Activity

	2013	2014
<b>PROACTIVE POLICING</b>		
Crime Risk Notice	4,565	4,024
Foot Patrols	4,131	5,413
Park Patrols	23,111	24,638
Airport Patrols	8,041	8,320

	2013	2014
<b>COMMUNITY OUTREACH</b>		
Close Patrol	11,819	13,250
Civil Standby	35	27
Welfare Check	440	474
Station Tours	15	14

	2013	2014
<b>FALSE ALARM INVESTIGATION</b>		
Residential	331	318
Commercial	1,599	1,841

	2013	2014
<b>ARRESTS</b>	2,374	1,912

	2013	2014
<b>CALLS FOR SERVICE</b>	16,966	17,139

	2013	2014
<b>TRAFFIC STOPS</b>	16,764	15,061



1983 – Officers in front of the newly constructed Police and Courts building along side their Volvo patrol cars.

# 2014 Police Awards and Recognitions

## Officer of the Year



Police Officer Brad Freis

**Officer/Civilian of the Year –**  
An award may be given to an officer/civilian selected by his peers for exceptional job performance and dedication to duty, the community, and fellow employees.

## Civilian of the Year



Police Dispatcher Susie Powell

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## Life Saving Bar

**Life Saving Bar –** To be awarded to any officer for the saving of a human life. The award may also be made where evidence indicates actions by the officer(s) prolonged a human life to the extent of the victim being released to the care of medical personnel, even though the victim may later die.



Officer Kyle Coffelt



Sergeant Kirk McFarland



Officer Jeff Sharp

# 2014 Police Awards and Recognitions

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## Chief's Recognition Award

**Chief's Award** – Awarded at the discretion of the Chief of Police for exceptional service.



**Ann Davis**



**Communication  
Supervisor  
Levi Larkin**



**Louise Calvillo**

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## Certificate of Civic Achievement

**Certificate of Civic Achievement** – May be presented to any member of the Department who brings favorable recognition to the department through their involvement in civic affairs while acting as a member or representative of the Department.



**From Left to Right: Tom O'Brien, Kathy Farrer,  
Gil Bruneman**

## Service Plaque

Presented by Chief Davis to John Hill in recognition for his years of service as the City Attorney



**Attorney John Hill**



# 2014 Police Awards and Recognitions

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## Educational Achievement Award

**Educational Achievement Award** – The educational achievement award will be awarded to all uniformed personnel who obtain a Masters degree from an accredited university



From Left to Right: Officer Darrell Wafer, Assistant Chief Paul Spencer, Chief Ron Davis (award presenter), Officer Yousaf Pasha

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## The following awards were presented by the Addison Police Association

### Addison Police Association Membership Recognition Award

Presented in recognition to Lea Dunn for her leadership during 2014



**Former City  
Manager Lea Dunn**

### Addison Police Association Membership Recognition Award

Presented in recognition to Ron Davis for his leadership and service during 2014



**Police Chief  
Ron Davis**



**Addison Supervisory Staff**

Back Row from left to right: Chad Hanson, Mike Meharg, Shawn Allen, Robert Mahoney, Paul Spencer, Michael Brazelton, Aaron Krause, Phil Darnell

Front Row from left to right: Deb Poehling, Denise Keith, Louise Calvillo, Kirk McFarland, Ron Davis, Jessica Morgan, Levi Larkin, Mike Vincent, Blake Potts, Brian Pietsch

**AI-1093**

**R9**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** N/A

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**AGENDA CAPTION:**

Discuss, consider and take action regarding appointment of a Member to the Planning and Zoning Commission.

**BACKGROUND:**

Commissioner Kathryn Wheeler's third term on the Planning and Zoning Commission will expire on April 9, 2015. Commissioner Wheeler's appointment belongs to Council Member Arfsten.

**RECOMMENDATION:**

N/A

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**AI-1082**

**ES3**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Council

**Council Goals:** N/A

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**AGENDA CAPTION:**

Closed (Executive) session of the Addison City Council pursuant to Section 551.074, Texas Government Code, to deliberate the appointment, employment, and duties of the Interim City Manager.

**BACKGROUND:**

N/A

**RECOMMENDATION:**

N/A

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**AI-1070**

**ES2**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** City Manager

**Council Goals:** N/A

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**AGENDA CAPTION:**

Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to seek the advice of its attorney(s) regarding pending litigation: Town of Addison, Texas v. ProAir Developments, L.P., Cause No. DC-13-15164, 14th Judicial District, Dallas County, Texas and anticipated litigation, Hunse v. Town of Addison, et. al.

**BACKGROUND:**

N/A

**RECOMMENDATION:**

N/A

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**AI-1039**

**ES1**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Infrastructure- Development Services

**Council Goals:** Infrastructure improvement and maintenance

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**AGENDA CAPTION:**

Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, pertaining to wind turbines on the water tower located at the intersection of Arapaho Road and Surveyor Boulevard.

**BACKGROUND:**

N/A

**RECOMMENDATION:**

N/A

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**AI-1071**

**R10**

**Work Session and Regular Meeting**

**Meeting Date:** 04/28/2015

**Department:** Legal

**Council Goals:** N/A

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**AGENDA CAPTION:**

**RECONVENE INTO REGULAR SESSION:** In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to take any action necessary.

**BACKGROUND:**

N/A

**RECOMMENDATION:**

N/A

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